

THE AMERICAN
Rush-Light;

By the Help of which,
WAYWARD AND DISAFFECTED BRITONS
MAY SEE
A COMPLETE SPECIMEN
OF THE
Baseness, Dishonesty, Ingratitude, and Perfidy
OF
REPUBLICANS,
AND OF THE
Profligacy, Injustice, and Tyranny
OF
REPUBLICAN GOVERNMENTS.

BY PETER PORCUPINE.

"I make it my sincere and humble prayer to Almighty God, that the People
"of America may never experience those evils which have heretofore
"taught the Mother Country how necessary *Monarchy* is to the enjoyment
"of *real Liberty*."
SPEECH OF K. GEO. III.—1782.

L O N D O N:
PUBLISHED FOR THE AUTHOR, BY J. WRIGHT,
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ADVERTISEMENT

TO THE ENGLISH EDITION.

THE following Work was published in Numbers at New York, at the close of the last winter. The object of the republication in *this* country is clearly enough stated in the title.

WILLIAM COBBETT.

LONDON,
Nov. 10, 1800.



ADVERTISEMENT.

WHEN I determined to discontinue the publication of *Porcupine's Gazette*, I intended to remain, for the future, if not an unconcerned, at least a silent spectator of public transactions and political events; but the unexpected and sweeping result of a law-suit, since decided against me, has induced me to abandon my lounging intention. The suit to which I allude, was an action of slander, commenced against me in the autumn of 1797, by Doctor Benjamin Rush, the noted bleeding physician of Philadelphia; it was tried on the 14th of December last, when "the upright, enlightened, and impartial republican jury" assessed, as damages, *five thousand dollars*; a sum surpassing the aggregate amount of all the damages assessed for all the *torts* of this kind, ever sued for in these States, from their first settlement to the present day. To the five thousand dollars must be added, the costs of suit, the loss incurred by the interruption in collecting debts in Pennsylvania, and by the sacrifice

of property taken in execution, and sold by the sheriff at public auction in Philadelphia, where a great number of books in sheets (among which was a part of the new edition of Porcupine's Works) were sold, or rather given away, as waste paper; so that, the total of what has been, and will be, wrested from me by Rush, will fall little short of *eight thousand dollars*.

To say that I do not feel this stroke, and very sensibly too, would be great affectation; but, to repine at it would be folly, and to sink under it cowardice. I knew an Englishman in the Royal Province of New Brunswick, who had a very valuable house, which was, I believe, at that time, nearly his all, burnt to the ground. He was out of town when the fire broke out, and happened to come home just after it had exhausted itself. Every one, knowing how hard he had earned the property, expected to see him bitterly bewail its loss. He came very leisurely up to the spot, stood about five minutes looking steadily at the rubbish, and then, stripping off his coat, "*Here goes,*" said he, "*to earn another!*" and immediately went to work, raking the spikes and bits of iron out of the ashes. This noble-spirited man I have the honour to call my friend; and if ever this page should meet his eye, he will have the satisfaction to see, that, though it may not be possible for me to follow, I, at least, remember his example.

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In the future exertions of my industry, however, pecuniary emolument will be, as it always has been with me, an object of secondary consideration. Recent incidents, amongst which I reckon the unprecedented proceedings against me at Philadelphia, have imposed on me the discharge of a duty, which I owe to my own country as well as this, and the sooner I begin the sooner I shall have done.

On Monday, the 24th instant, therefore, I shall publish the first number of *A Periodical Work*, which, as it is intended to assist the public view, in the inspecting of various tenebrious objects, will be called, and not, I presume, improperly, a *Light*; and, as the appearance of this light must be attributed wholly to the Philadelphian phlebotomist, gratitude will sanction the propriety of prefixing to it the name of *Rush*. Thus, while the great literary luminaries of this enlightened nation emit their effulgence through vehicles which they most significantly term the *Aurora*, the *Star*, the *Constellation*, the *Comet*, and the *Sun*, I am content that my glimmering efforts should steal forth under the appellation of the

Rush-Light.

I must, nevertheless, do myself the justice to assure the public, that, with the *Rush-Light* in his hand, any one (if the poor soul be not stone-blind) will be able to see a good many very pretty things,

I

which,

which, notwithstanding the splendour of the grand luminaries above mentioned, would, without the aid of my little taper, remain hidden from him all the days of his life.

THE
Rush-Light.

==
No. I.
==

15th Feb. 1800.

RUSH AND HIS SUPPORTERS.

IF variety have all the charms which it is said to possess, I am afraid that the life I lead must excite no small degree of envy; for, of all the mortals occupied in the use of the pen, surely no one ever treated of subjects so various and so opposite in their natures! Yesterday I finished the History of *the Italian Campaign*; to-day, I am beginning that of *Rush and his Supporters*. When I contemplate this transition; when I view myself descending from the glorious deeds of the princely Suworow, to record the low tricks of an ignoble herd of Philadelphians, I remind myself of Swift's indiscriminating fly, which, after sipping the nectar from the rose and the carnation, "drops down, and finishes its meal upon an excrement."

I must, however, declare, that neither fickleness, want of discrimination, nor a propensity to dabble in filth, has produced this disagreeable change in my labours. The loathsome subject now before me, is not taken up from choice, but from a sense of duty. I am actuated by neither malice nor revenge;
NO. I. but,

but, in holding up, in their true light, the *Rushes*, the *Hopkinsons*, the *Meases*, and the rest of the tribe, I look upon myself as acting in the capacity of a public executioner, who, while he performs the dreadful behests of justice, secretly bewails the ignominious fate of the sufferer.

Such are the sentiments under which I have resolved to expose the conduct of Rush, and that of the Witnesses, the Lawyers, the Judges, and the Jury, concerned in the cause lately decided against me at Philadelphia. Were my design to defend my own character, or to blast for ever that of my enemies, a few pages might suffice; but my views are less selfish, and extend to objects of far greater utility. This cause, in its commencement, its progress, and its result, furnishes a series of facts, of which, justice to the *people* of America, justice to foreign nations, and particularly to the deceived and infatuated malecontents of my native country, demand an ample exposure. The undertaking is, besides, called for by the insidious attempts of Rush and his "fellows-citizens." They have published a "*Report*" of the trial, not badly calculated to justify themselves and to deceive the world. They call it an *important* trial, and I shall certainly endeavour to make it so in its effects; to which end, I shall go into as full a discussion of the several parts of the subject as the little time, which I am necessarily confined to, will admit of, arranging my matter under the following heads: 1. A sketch of Rush's birth, and his moral and literary character; 2. An account of his practice, and of my inducements to attack it; 3. A defence of the publications for which I was sued; 4. Remarks on the base insinuations of Rush's lawyers against the British Government, with a Narrative of the juridical proceedings, a comparison between the severity dealt to me and the lenity shown to printers who

who are not *British subjects*, or who profess no *allegiance to the King of Great Britain*; and an account of the *redress I have met with* from the laws of Pennsylvania.

BIRTH AND CHARACTER OF RUSH.

"Can the *Rush* grow up without mire? can the flag grow without water?"

"Whilst it is yet in its greenness, and not cut down, it withereth before any other herb.

"So are the paths of all that forget God; and the *hypocrite's* hope shall perish." JOB, c. ix. v. 11, 12, 13.

Had Rush's pleaders confined themselves to the only subject that ought to have been submitted to the deliberation of the jury; had they not, in numerous instances, gone out of their way to extol the *family and character* of their client, and to traduce and vilify mine; had they not held him up as an "*Hippocrates*" and a "*saving angel*," while they represented me as a "*wretch cast up from the very dregs and slime of the community, that ought to have rotted in obscurity*;" had they not thus insolently (and I may add foolishly) provoked an inquiry, the family and character of Rush would have remained, with me, objects of as perfect insignificance as the poverty-bred plant, the name of which he bears, and the worthlessness of which is proverbial.

No herald, reader, proclaimed the birth of the Pennsylvanian "*Hippocrates*." The "*saving angel*" was born (and, I believe, in the usual way) in the city of Philadelphia. His father, honest John, was, I am sorry to say it, of English extraction, and was, by calling, a Blacksmith. Of his mother (who had another son, and two daughters) I have heard nothing, except that she kept a huckster's shop, or stall, and was a very kind and pious Presbyterian, who, recollecting, I suppose, the Apostle's remark respecting the salubrity of wine to the stomach, occasionally

casionally administered to the comfort of her fellow-creatures by retailing drams. The reader will, I dare say, gladly excuse me from going any further back in the pedigree; but I cannot dismiss the subject without observing, that the Doctor was not *quite* just to his family, when he was "ready to say, "and almost *without a figure*, to *Corruption*, Thou art my *father*, and to the *worm*, Thou art my *mother* and my *sister* *."

Having long ago given, and not without some pride, an account of my own humble origin, it cannot be supposed, that I have turned Biographer to the Doctor for the sake of degrading his character. In fact, these family memoirs were furnished me by a great admirer of Rush, the late Doctor Capel of Wilmington, who produced them as clear proofs of his friend's genius and indefatigable application; and while I leave undisputed the justness of Capel's conclusion, I only beg leave to remark, that the parentage of Rush was not extremely well calculated for sending him into the world with that independence of mind, which, among persons of low birth, is certainly the best foundation whereon to raise a character conspicuous for sincerity, candour, integrity, magnanimity, and virtue.

Rush is remarkable for insinuating manners, and for that smoothness and softness of tongue, which the mock quality call *politeness*, but which the profane vulgar call *blarney*. To see and hear him, you would think he was all friendship and humanity. He shakes hands with all he meets; every one is his

* These words were found in a work by Rush, entitled, *A Narrative of the Author's Body and Mind*, during the Yellow Fever of 1793; which work, if the reader has an inclination to see a specimen of the most disgusting egotism that ever soiled paper, I would recommend him to purchase.

dear friend, all the people his *dear fellow-citizens*, and all the creation his *dear fellow-creatures*. The lamp of his philanthropy is constantly burning, and it burns with equal brightness, whether whites, yellows, or blacks are the objects of his affection. He certainly is not the first moralist, who has observed, that bluntness is no recommendation with the rich ; but he is (as far as I know at least) the first physician that ever thought of making a propensity to be praised, in the patient, conducive to the aid of his medicines. One of his pupils told me, that his preceptor prided himself much upon this discovery. " Give your patients," used he to say, " a good *strong dose of flattery*, to compose their minds ; for, without that, you may as well hope to succeed, as Miss Willing may hope to get to Heaven by listening from her window to the organs of St. Paul's church."

If making fair weather with men of all religions and all parties be a proof of merit, I know of no person so meritorious as Rush. He has, alternately, appeared to be a *Presbyterian*, a *Quaker*, an *Episcopalian*, and a *Methodist*. He is intimate with all the Clergy, from *Bishop WHITE* down to the *BLACK Bishop*! I have often admired the ingenuity with which, in his account of the Yellow Fever of 1793, he pays his court, at one and the same time, to people of all sects, ranks, and colours. There is one sentence, in particular, of this work, for which he deserves to be immortalized. He is speaking about the opinion that prevailed respecting the danger of congregations meeting on *Sundays* ; and knowing the Quakers to have a whimsical objection to the name by which Christians in general call that day of the week, he makes a fair compromise betwixt them and the other sects, and in the very same sentence calls it *Sunday* and *First-day*.

“ He distributes his liquors all palates to please;
 “ To some gives the wine, and to others the lees :
 “ And lest that his customers quarrel and box,
 “ Gives the wine to the *Pope*, and the lees to *George Fox*.”

But the most striking proof of his talent at “ composing the mind,” as he calls it, is, his prevailing on *Mr. Adams* to give him that lucrative sinecure the *treasurership of the Mint*, while it is well known that he was the intimate of *Jefferson*, and amongst the few *trusty friends* mentioned to *Logan*, in the memorable correspondence which *Munro*, from motives of prudence, carried on under the signature of a *Young Man at Paris*.

Some persons, however, notwithstanding this pleasing talent in the Doctor, have ventured to call his *sincerity* in question. *Mr. Smyth*, a British officer, who, though a prisoner of war, was most inhumanly treated in the prison of the philanthropic city of Philadelphia, tells us, that during his imprisonment he was visited by *Doctor Benjamin Rush*, who, it would seem, was then a member of Congress. He says that this *Rush* flattered him with the hope of an exchange or parole, and gave him *strong* “ assurances of very great regard and commiseration ;” but he tells us, in the same page, that though this *Dr. Rush* was eminent in *rebellion*, he was more so in “ *unfulfilled professions* * !

As

* *Smyth's Tour in the United States*, vol. ii. p. 296. If this be a *libel*, I beg the dram-seller's son to sue the Philadelphia Library company; for it was from their collection I got the book, out of which the quotations are made.—A propos: This book, when I saw it, exhibited a complete specimen of *Philadelphian liberality and good breeding*. It may be readily supposed, that *Mr. Smyth* has divulged some bitter truths; these, as they have passed through the hands of the readers, have called forth all that malice, that sneaking cowardly revenge, for which the Philadelphians are so famous. Each reader

As to the Doctor's *mildness* and *candour*, so boldly insisted on by his pleaders, and so *complaisantly* assented to by my good counsel *Mr. Harper*, a few facts, fresh in the memory of every Philadelphian, will afford a most satisfactory illustration.

Rush called *Doctor Wistar* an *assassin*, because Wistar denied the virtue of his grand specific, the *mercurial purges*. I have this fact from *Doctor Glentworth*, who, though a native Philadelphian, and a staunch republican, is a very candid, honest, and

reader seemed to me to have sitten with a *pen* in his hand: the work was disfigured from one end to the other. In some places words were effaced, in others sentences, and in others whole paragraphs. Where the offensive matter was not obliterated, it was commented on, in the margin, in language the most abusive and obscene, and expressive of sentiments the most detestable. Whenever the name of the King was made use of, the word *King* was effaced, and *tyrant* written over it. The names of his Majesty's faithful subjects were made to give place to *traitor*, *rebel*, *miscreant*, &c. &c. The author was frequently called a *scoundrel* and a *liar*, and, sometimes, a "*damned liar*," at full length; and, when mention was made of the barbarous treatment of a royalist, the comment generally was, "*It is pity they had not used him worse*." Nay, the description of sufferings enough to soften the heart of a tiger, even the very pangs of the dying, drew forth from the philanthropic Philadelphian readers, the comments of, "*Bravo!*" or of, "*Al! a, a, a, a, a, a, a!*"

Talk of the *French* indeed! I defy any one to produce me, even from the annals of the *grande republique*, a proof of blackness of heart equal to that which I have here pourtrayed. The patriots of Republican France have waded in blood; but they have, at the same time, shown that they can venture their own lives; whereas the Philadelphian commentators discover that sort of cowardly cruelty which would lead to the cutting of the throat of an infant sleeping in its cradle.

To judge of the disposition and manners of the "*well-born*" (for it should be observed, that the poor sovereign people seldom sets his eye on any book belonging to the library) amongst the Philadelphians, there cannot, I think, be found a surer standard than the comments on Smyth; and, if what I have stated be false, or incorrect, the Librarian has it in his power to contradict me. Till he does it, and circumstantially too, the philanthropic city may depend on it I shall be believed.

brave man. Doctor Glentworth also told me (and he will tell the same to any one), that Rush attended him in the yellow fever of 1793; that he bled him till he was extremely weak, and ordered *several other bleedings*, which Glentworth's knowledge made him omit, without, however, telling Rush of the omission; that he came one day, and finding his patient sitting up in the bed, ran to him, squeezed him by the hand, called him his "*dear Glentworth*," and congratulated him on the salutary effects of his bleeding system; "But," said he, "*my dear friend*, you must lose a little MORE BLOOD."—"Lose *more blood!*" replied Glentworth, "when I am so faint I can hardly support myself!"—Upon this, Rush started from the bed-side, caught up his hat, called his "*dear friend*" an *assassin*, told him he was leagued with Wistar to ruin his reputation, and ran down stairs bawling out, "You're a dead man! you're a dead man! you'll be buried before to-morrow night!"

There was an instance of *mildness, candour, and humanity!* Doctor Glentworth did, however, disappoint him. He recovered his health, without losing more blood, and lived to laugh very heartily at the charitable predictions of the *Pennsylvanian Hippocrates**."

Rush, in his Account of the Yellow Fever of 1793, accuses *Doctors Khun, Stevens*, and others, of having "*slain more than the sword*," merely because they rejected his practice. Nor does he, when speaking of his opponents, confine his charges to

* I have made use of Doctor Glentworth's name, because I know that he fears not the whole tribe of the Rushes together; and because I know also, that, however he may dislike my Royalist politics, he is a friend to *truth and justice*, and will not, therefore, be offended at being called forth in their cause.

their

their *practice*; but, in the excess of his *mildness* and *candour*, attacks their *motives*. He says, that "it requires an uncommon portion of charity, to ascribe their conduct to *humane and benevolent motives*;" which is, to say the least of it, a very broad insinuation, that they were actuated by motives both *selfish* and *cruel*. This is the *inoffensive* candid gentleman, who Ingersol told the jury treated his brethren with *respect* and *tenderness*!

So intolerant was he, and yet is, towards those who would not, or will not, acknowledge the infallibility of his system of bleeding and mercurial purges, that he has, since 1793, refused to consult with any physician who has not been weak enough to adopt his practice. Mr. Chancellor having called him in to consult with Doctor Hodge, he told Chancellor that he had better dismiss Hodge, for that he was a bark-and-wine doctor, and would do his patient more harm than good; and yet this same fellow had afterwards the impudence to threaten to prosecute Doctor Hodge for telling Doctor *Way* (while Rush attended him), that he thought he might recover *without more bleeding*! Rush, in his Account of the Yellow Fever of 1793, attempts to justify his conduct in refusing to consult with any physician, except those of his own school, on the ground of the *disagreement in opinion*; but, what a senseless excuse! If the opinions of all physicians were settled, and were all the same, there could be no use in calling a consultation. In fact, this was no more than a miserable apology for the most insolent pretension to superiority ever set up by mortal man*.

In

* Rush had attended a gentleman for some time, when the patient finding himself grow worse under the infallible remedies, proposed the calling in of another physician. "With all my heart,

In the face, however, of these notorious facts, the counsel of Rush kept up an incessant bawling about the *mildness* and *amiableness* of the Doctor's disposition. "From my soul," said Hopkinson, "I believe him to be amongst the most *unoffending* and *benevolent* of mankind." Ingersol called him a "saving *Angel*." And to all this fulsome, this beastly hyperbole, my counsel, Mr. Harper, cried *Amen*! Hopkinson, towards the close of a dozen pages of lies, nonsense, and bombast, gave the tender-hearted Jury a most piteous picture of the distress produced in Rush's family by my publications against the "*immaculate father*." He throws the wife into hysterics, makes "a deep wound in her heart, and tears, with remorseless rage, all the *fine fibres* and *delicate sympathies* of *conjugal love*." From the mother, whom I never mentioned in my life till now, he comes to the children, "of *nice feelings* and *generous sensibility*." The daughters he, of course, sets to weeping; "but manlier passions swell, agitate and inflame the breasts of HIS SONS. They burn, they burst with indignation; rage, revenge, drive them headlong to desperate deeds, accumulating woe on woe. With difficulty the prudential advice, the parental command of the father, restrain their fury—with difficulty they are prevented from taking immediate vengeance on their cruel oppressor—*Be patient, my children*, said he; *I am deeply injured; but the laws of my country offer me justice, and point*

"heart, my dear friend," said Rush; upon which the gentleman named Doctor Khun. "No," replied the modest son of Mercury, "I will never consult with Khun!"—"If you will not attend with Doctor Khun," said the gentleman, "*he must attend without you*; that is all." A few days afterward, Rush, seeing Khun going to his old patient, called out to him: "He is out of danger already; I defy you to kill him! I defy you to kill him!"—"Why," replied Khun, "after his passing through *your hands*, he may, indeed, safely set death at defiance."

"out

“ out the road to redress. It is tardy, but it is certain
 “ and ample. Delay may be painful to you, but the
 “ duties of a good citizen require it. This suit, then,
 “ Gentlemen, and the hope of the justice that you
 “ will administer, may have been the guardian
 “ angel of the defendant.”

No Philadelphian could be duped by this miserable rant; but it would certainly lead a stranger to suppose, that Rush was the most gentle of human beings, and that he actually refrained those young lions, *his sons*, from avenging his wrongs by chastising me. But unfortunately for the reputation of the Rushes, their affair with *Doctor Ross*, which happened a few days after the actions against Mr. Fenno and me were commenced, will clearly mark the character of this “*immaculate father*,” and of these “*manly*,” these “*generous*,” these “*nice-feeling*” sons, and will effectually preclude the necessity of any future eulogiums by Hopkinson and Harper*.

An article appeared in Mr. Fenno's paper, signed “*A Member of the College of Physicians*,” giving an account of Rush's pretty tricks during the yellow fever of 1793. This article produced a great deal of fun amongst the people, and a great deal of anger amongst the Rushites. It was written by Doctor Currie; but Rush suspected as the author, Dr. Ross, a Scotch physician of great learning, and considerable eminence in his profession. Vengeance! vengeance! therefore, resounded against Ross, who was immediately attacked in print, with unparalleled brutality, by a subaltern Rushite, named Caldwell. The vile newspaper of Rush's friend Bradford was

* Some future Number shall contain an account of the dastardly conduct of this man, in whom I put such implicit confidence.

the vehicle of this attack. *Here*, indeed, was a LIBEL! Not only the professional practice and opinions; not only the political sentiments, the national partialities; not only the private character, the manners, and the dress, but the domestic oddities, and even the *pecuniary circumstances* of Doctor Ross, were, successively, the theme of this shameless slanderer: nay, the base Rushite did not stop there; Ross's *old age*, and even his *bodily infirmities*, were made a subject of *ridicule*!

The article in Fenno's paper, for the writing of which this infamous libel was intended as a punishment, contained not a single falsehood, nothing that could be called personal, nothing abusive, indecent, or uncandid. Besides, Ross was totally innocent of the matter; he knew nothing of the origin of the publication. And even if he had, if he had been *known*, instead of being merely *suspected*, to be the author, and if the matter of the publication had been false and abusive, instead of being, as it was, both true and decent, most assuredly the attack on him in Bradford's paper would have been a retaliation more than satisfactory. But that attack, false, malignant, brutal, and inhuman as it was, did not satisfy the "*worshipping*," the "*benevolent*," the "*immaculate*," the "*angelic*" Rush, and his "*generous and nice-feeling*" sons.

One of these "*generous*" gentlemen, *John Rush*, wrote Doctor Ross the following very impertinent note:

"Sir,

Oz. 16, 1797.

"As you are universally *believed* to be the author of the publication against my father, Dr. Rush, in Mr. Fenno's paper of the 6th inst. I take this method of *demanding*, whether you are or are not
"the

“ the author of the said publication. Your silence
“ on the subject will be considered as an acknow-
“ ledgment of your *guilt*.

“ I am, &c.

“ JOHN RUSH.”

Rofs returned the note by the bearer, telling him
“ *that he knew nothing of Mr. Rush or of his father.*”
When we consider the insolence of the note, the
demand of an answer, and the broad imputation of
“ *guilt*,” and take into view the vast difference in
the age and character of the parties, this conduct
on the part of Dr. Rofs must be deemed a mark of
great *moderation*, not to say *tame*ness. But an indica-
tion of this sort was so far from assuaging the wrath,
or cooling the courage of the boiling, “ *nice-feeling*”
youth, that it added to his anger and his resolution :
he accordingly wrote Rofs another note in the fol-
lowing words :

“ Sir,

O^{*c*}. 17, 1797.

“ I once more demand an *unequivocal answer* whe-
“ ther you are, or not, the author of the publica-
“ tion against my father, alluded to in my note of
“ yesterday. My friend Dr. Bullus will wait for a
“ decisive answer.

“ I am, &c. &c.

“ JOHN RUSH.”

Afterhaving read the contents of this second scrap
of insolence, for which the author merited a horse-
whip, Rofs asked the bearer why the “ *impertinent*
“ *puppy*” kept teasing him. He could not help,
however, giving a fresh proof of his timidity, by
sending the “ *impertinent puppy*” a written answer, as
follows:

" Sir,

Oct. 17, 1797.

" I don't understand why you take the liberty to
 " call on me for any newspaper abuse you or your
 " father may have to complain of. *I surely never did,*
 " *nor do I ever intend to, write any observations on*
 " *any physician's conduct or practice,* and sincerely
 " regret the unworthy conduct of both parties.

" ANDREW ROSS."

One would have thought that this was humble enough to have satisfied a Bashaw; but the " generous" John Rush waxed, it seems, still more wroth. He knew before that Ross was an *old man*, and that, from the effects of a stroke of the sun received in the East Indies, *he was hardly capable of wielding a sword, or even drawing a trigger*; yet the boiling, raging, fiery youth avoided any thing like a challenge; but, the moment he received the last note, the moment he was, as he thought, quite sure that Ross was *fearful* as well as aged and infirm, he became absolutely outrageous and ungovernable, and dared the tottering old man to mortal fray. The note of Ross contained an answer so complete, it so implicitly complied with the "*demand*" of Rush, and pleaded Not "*guilty*," my Lord, in accents so tame and submissive, that the "generous" young man found great difficulty in framing an excuse for challenging him. The opportunity of *giving proof of his courage* was, however, too favourable and *too safe* to be let slip; he therefore sent Ross the following note:

" Sir,

October 17, 1797.

" The unpolite manner in which you treated my
 " note of this morning, and the epithet of an "*impertinent puppy*" which you have applied to me,
 " demand satisfaction. If you refuse to give it to
 " me,

“ me, I shall consider you as a scoundrel, and treat
 “ you accordingly.

“ JOHN RUSH.”

This note was put into the hands of Bullus, one of Rush's young doctors, as they are called. Bullus and the challenger watched the opportunity when Rofs came along the street, went out and stopped him, and presented the challenge. Rofs read it, and repeated, as well he might, the appellation of “ impertinent puppy;” upon which, the courageous Rush first struck him with his fist, and then beat him with a thick bludgeon cane, knocked off his hat, cut his face and head, and otherwise maimed him in a most shameful manner.

Rofs concluded (with what reason the reader will judge) that this most inhuman assault had been perpetrated at the instigation of old Rush, who was, however, ten years younger than himself; and, in the first moments of his rage, sent the “ *unoffending*” and “ *benevolent*” Doctor the following challenge:

“ October 17, 1797.

“ Doctor Rofs requests Dr. Rush to meet
 “ him to-morrow morning in the Jerseys with a
 “ friend—Mr. Walker will let him know time and
 “ place.”

This note reached Rush in the evening. He well knew the sort of treat of which he was invited to partake, and the cause of the invitation; for the savage assault on Dr. Rofs took place only a few yards from his own door. But the meek and benevolent Benjamin knew also, that Rofs's note did not amount *quite to a challenge*, and, therefore, instead of going to the injured and enraged old man, and clearing

clearing himself of the charge of being the instigator of his son ; instead of condemning the vile conduct of that son, or attempting to make him apologize for the outrage, he set himself very coolly and deliberately to work *to draw from Ross such expressions as would be good grounds for a prosecution.* Were Theophrastus and La Bruyère to rise from the dead, and to club their talents in drawing the character of Rush, they could not produce it half so complete as it is exhibited in the following correspondence.

RUSH.

“ Doctor Rush wishes to know for *what purpose* he
“ is to meet Doctor Ross to-morrow morning in the
“ *Jerries.*”

ROSS.

“ Doctor Ross will let Doctor Rush know when
“ they meet.”

RUSH.

“ Doctor Rush’s time being much engaged at
“ present, he cannot consent to leave town, with-
“ out knowing *the business* he is to go upon.”

ROSS.

“ The sole purpose of meeting is to have *personal*
“ *satisfaction* of Dr. Rush for the ruffian assault of
“ his son this morning, of which he considers the
“ Doctor as the sole instigator.”

This was precisely what was wanted by Rush ; it was an unequivocal challenge, and subjected the writer to a certain fine of *five hundred pounds*, one half of which would go into the pocket of the plaintiff. Having obtained his end, the *benevolent* Rush thus put an end to the correspondence :

RUSH.

RUSH.

" Sir,

" I do not fear death, but I dare not offend God
 " by exposing myself, or a *fellow-creature*, to the
 " chance of committing murder ; I have not in-
 " jured you, and I freely forgive you all the inju-
 " ries you have attempted to do me.

" The treatment you received this morning from
 " my son was not instigated directly or indirectly
 " by me ; *it was occasioned by your calling him an*
 " *'impertinent puppy.'* Your note, without that in-
 " sulting language, would have satisfied him.

Dr. Rofs.

" B. RUSH."

There you see him, reader ! That is he ! That's Rush in every lineament ! This note, of three short sentences only, gives you a fair sample of his *bravery*, his *piety*, his *humanity*, his *Christian meekness and charity*. Were I to quit the narrative here, however, you might suppose, that he took no further notice of the challenge ; but, to leave such an impression on your mind, would be doing great injustice to the character of my hero ; and, therefore, however hypocritical, however base and malignant his conduct may appear, I must tell you, that this "*patient Mar-*
 " *tyr,*" this "*most unoffending and benevolent of man-*
 " *kind,*" who, on the evening of the 17th, wrote to Rofs that he *freely forgave him every thing*, commenced, the next morning, a criminal prosecution against him, procured a warrant, had him seized, and actually took every measure *for sending him to jail*.

Doctor Rofs did not associate with republicans, and, *therefore*, he was not deserted by his friends in the hour of trouble. Several gentlemen, into whose company Rush would, on no account, have been admitted,

admitted, immediately came forward to give bail for Doctor Rofs, and thus the last effort of the *meek* Rush's "benevolence" was defeated; but though his philanthropy was yet unsatisfied, it must be confessed that his triumph was much too complete. Rofs was a man of learning and of wit; of the frivolous talents and opinions of the shallow Rush, he had frequently expressed his contempt: this the "benevolent" man knew, for this he hated him, and that Rofs was attacked by the son for this, is very clear, because the assault took place after it was known that he was not the author of the publication in Fenno's paper, which was the *pretext* of the quarrel; and because the reason grounded on the *pretended insult* given by Rofs to young Rush was too palpably absurd to impose on the most ignorant person in the city.

In whatever point of view we contemplate this affair, to whichever motive we ascribe the conduct of Rush and his son, and their assistants, the treatment of Dr. Rofs, from the beginning to the end, was the most vindictive, the most base, the most foul and dastardly act, that ever was committed in the face of day; but in considering separately, the parts acted by this group of *philanthropists* and *heroes*, we must certainly award the palm to Rush. The rude and brutal libeller might, for aught we know, have blushed, after he was informed, that the object of his infamous calumny was innocent of the offence for which he had assailed him*; the "*nice-feeling*,"

* I observed before, that this most wicked publication appeared in the newspaper of Rush's intimate friend *Bradford*; but, to give the *foreign* reader some idea of this intimate friend, I must add a word or two here. *Bradford* is the identical printer and bookseller, of whom honourable mention is made in my life and adventures; but, in what regarded the libel against Doctor Rofs, I must do him the justice to acknowledge, that he had

"feeling, generous" son might, *possibly*, have felt something like remorse, when he saw the blood running down the forehead of a defenceless old man, approaching to threescore; but be this as it may, the "benevolent Rush," the "*Hippocrates of Pennsylvania*," the "*patient Martyr*," the "*saving Angel*," remained unmoved, unsatisfied by the vengeance inflicted by the libeller and the ruffian. His piety, his Christian meekness, did, indeed, prevent him from exposing his "fellow-creature" to the chance of death in a duel, but it did not restrain him from sending a filthy wretch to drag him through the streets as a prisoner; it did not restrain him from exulting at the indignities heaped upon Ross; it did not restrain him from appearing at the Mayor's office to enjoy the pleasure of seeing this old and reputable gentleman compelled to appear as a criminal, to bare his head before a doughty magistrate, and expose his grey locks, yet clotted with the blood drawn by the bludgeon of the Rushite; from these indulgences he was restrained neither by his *benevolence*, his *Christian charity*, nor his *philanthropic tenderness*!

"But," says the *English* reader, "did not the people of Philadelphia hoot this fellow from their city? or, at least, did not his conduct excite universal indignation and abhorrence?"—Oh, dear, no! Quite the contrary, John Bull! The Americans have a sort of morality which you do not yet understand, and which I pray God you never may. A full account of this vile transaction, of this excess of beggarly insolence and dastardly cruelty,

had a partner worthy of sharing with him. This partner was one *Lloyd*, a man just arrived in America, after a three years confinement in *Newgate*. Let it be remembered also, that the person whom *Lloyd* and *Bradford* employed as editor to their paper, tenanted, but a few months before, the *jail of Calcutta*. Such were the proprietors and conductors of the press, which constantly extolled the character and practice of *Rush*, and as constantly poured forth libels on his opponents.

was published in *my paper*, and in that of *Mr. Fenno*; but Dr. Ross was well known to be a Briton by birth and a *Royalist* in politics, and, therefore, had young Rush chopped off his head, and presented it to his father in a charger, I do verily believe, that, amongst all the hundreds and hundreds of American newspapers, not a *third* would have been found to express the least disapprobation of the deed *.

Few readers will, I trust, wish for any further information relative to the character of Rush and his son; but it seems to be no more than just to compare the preceding facts with the eulogium of Pleader Hopkinson. "I do believe from my soul," said the bombastical ballad-monger, "that Doctor Rush is amongst the most *unoffending* and *benevolent* of mankind."—Again: "He has sons of *nice feeling* and *generous sensibility*."—And again: "Manlier passions swell, agitate, and inflame the breasts of his sons. They *burn*, they *burst* with *indignation*, rage, and woe. *With difficulty* the prudential advice, the parental command of the father restrain their fury: with difficulty they are prevented from taking immediate vengeance on their cruel oppressor. 'Be patient, my children,' said he, 'I am deeply injured, but the laws of my country offer me justice, and point out the road to redress. It is tardy, but it is certain and ample. Delay may be painful to you, but the duties of a good citizen require it.' This suit then, gentlemen, and the hope of the justice that you will administer, may have been the guardian angels of the defendant."

* In fact, this attack on poor old Ross seems to have drawn the merit of the Rushes from obscurity; for the President, very soon afterwards, appointed the father *Treasurer of the Mint*, and the son a *Surgeon in the Navy*!—*Vivat Respublica!!!* as our republican play-actors say at the bottom of their bills.

Thus, as I before observed, Hopkinson not only extolled the lamb-like gentleness of Doctor Rush, but insisted that it was his "*prudential advice*," his "*parental command*," that restrained his *manly* sons "from taking immediate vengeance" on me "their cruel oppressor." But, my dear little Hail Columbia*, do pray tell me, if Rush's prudential advice and parental command restrained his burning, bursting, raging, revenging, driving, desperate sons from attacking me, how came it to pass, that the same advice and command could not restrain them from attacking Doctor Ross? That Ross had offended them more than I had, you will not, certainly, pretend; for, let it be remembered, that the attack on Ross was made after the suit was commenced against me. Besides, I republished the very article for which the Rushes quarrelled with Ross; they were *sure*, therefore, that I was "guilty," as they called it, while, with respect to the author, they proceeded merely upon *suspicion*. Tell me, then, I say, thou "*nice-feeling*" husband of a *nice-begotten* spouse†, why these burning, bursting, desperate sons did not come to attack me? Tell me how it happened, that they came to be so very obedient to the parental command in one instance, and so totally regardless of it in another? Tell me how the arm of the "*generous*" John Rush was withheld from a *stout man of thirty years of age*, while nothing could withhold it from a *tottering old man of three-score*? Do you say that the father's authority was not exerted in the latter instance? then, I ask, *why* was it not? Do you say that old Rush was not acquainted with the intended assault of his son? then, I tell you to read his last letter to Doctor Ross,

* Hopkinson wrote a wretched song, beginning "Hail Columbia."

† This man had the baseness to marry a bastard of the profligate Mifflin, and, as a reward, accepted of the office of Clerk to the Orphans' Court.

where you will see, that, if he denies being the *instigator* of his son, he does not deny a knowledge of his intention; and you will also see, that he, in no very unequivocal terms, *justifies* his son's brutal and dastardly conduct. But, will you say, after all, that the parental command was not exerted, or was ineffectual, because Ross had called the son an "*impertinent puppy*," which I had not done? This would be very bad ground for you to take; it would place your little skeleton in a very awkward position; for, if the pious father was, as he pretended to be, "*principled* against duelling," he ought, in one case as well as another, to have prevented his son from exposing himself to "the chance of committing murder;" on the other hand, if he exerted his authority without effect, what becomes of the "*nice feeling and generous sensibility*" of the affectionate and dutiful son, who could be prevented from chastising a person that called his father a *quack*, an *empiric*, and a *puffer*, while not even the powerful "parental command" could restrain him from challenging and assaulting another, who had only called himself an "*impertinent puppy*?"

Still, amidst all this hypothesis, there may remain some little doubt; and, therefore, I shall close the subject with the relation of a fact which will admit of none. On the day that Dr. Ross was assaulted, I published a short account of the matter. Owing to the hasty manner in which I received my information, this account was not perfectly correct, but it did not deviate from the truth in any essential point. John Rush, however, in a statement which he published the next day, thought proper to give the world a specimen of his *high breeding*, "*nice feeling*," and "*generous sensibility*," by concluding an address to me in the following words: "I must stigmatize you a *liar* and a *perverting rascal*. You call yourself an Englishman. Englishmen are brave, but
"you

"you are a *coward*." This language, the reader will allow, was rather harsh, considering that it came from the son of the meek Doctor Rush, and considering too, that he had made use of it *after* his father had, as Hopkinson told the jury, desired him, and commanded him to be *patient*, and wait quietly, like a good citizen, for the due operation of the law. People said that *Jack*, though a vessel of the third generation, still smelt strongly of the old *dram-shop* in Second Street.

Unwilling to be thought inferior to the "nice-
"feeling" youth, in politeness, and still more unwilling to be thought afraid of his bludgeon, I repaid him in his own coin, and with interest, by publishing his address, and subjoining to it the following remark—"N. B. I affirm this John Rush to be an
"impertinent puppy, a way-laying coward, a liar, and
"a rascal."—The inapposite, far fetched, hypocritical, cringing compliment to *Englishmen* I did not return; probably because I had, just at that time, *no sister upon the point of being married to an American**.

Now,

* The wise Doctor Rush, in his eulogium on Rittenhouse, very sagaciously observes, that "*Man* is made for a Republic, and
"a Republic is made for *Man*." Whether the Doctor meant this as a *dogma* or a *conundrum* is not quite certain; but, however necessary he may think republicanism to the existence of *Man*, it is pretty clear he does not believe in any such necessity with respect to *Woman*; for he has married one of his daughters to a very loyal subject of His Majesty, an inhabitant of the Royal Province of Canada. Of the same sentiment appears to be that clamorous republican, *M-Kean*, who, though continually bawling against *Monarchy* and *Aristocracy*, has married his eldest daughter to the Spanish Ambassador, who is, of course, a subject to a King, and bears, besides, the title of a *Nobleman*.—The truth is, reader, all these men's abhorrence of Royalty and its appendages is sheer dissimulation. Whimsical, perverse, and foolish as they may be in other respects, in their professions on this subject they have too much sense to be sincere. Their edging in "*Honourable*" and "*Esquire*," with their ignoble names, wherever they think it
will

Now, it will most assuredly be allowed, that *way-laying coward, liar, and rascal* are appellations full as provoking as that of *impertinent puppy*; but in order to put to the test the sincerity of the plea for attacking Ross, I inserted the very appellation, for which it was pretended he was attacked; yet *I* was never assaulted; no Doctor Bullus came to pester *me* with demands and challenges! Young Rush, in justification of his ruffian-like assault on Doctor Ross, told the public, that though his father was inclined to wait, with patience, the decision of a jury, *he*, for his part, was not. "I have *not*," said the burning, bursting blade, "been able to reduce *my* feelings " to the same degree of composure."—Wonderfully strange feelings! They were one day roused to brutal violence, at the appellation of *impertinent puppy*, and the next, they remained totally unaffected by *the very same appellation*, with the aggravating addition of *coward, liar, and rascal*! With men of *common* feelings, however irascible their tempers, age and infirmity are always looked upon as a protection from personal vengeance: to men of *common* sensibility, for injuries received from the old and infirm, the law offers the only means of obtaining redress. But the Rushes proceed upon maxims diametrically the opposite of these. Their "*nice feeling* " and *generous sensibility*" teach them to go to war with the old, and to law with the young; to attack weakness with a bludgeon, and strength with a writ!

After detailing these well-established facts, it would be superfluous to add the scores of others of nearly the same sort, which might be produced.

will be tolerated, proves to you, that men are now what they were in the days of Æsop, and admonishes you, that whenever you hear a *Citizen* expressing his *contempt for titles*, you should look upon him as only speaking a parody on the poor Fox's farewell address to the grapes.

No

No man of integrity and common sense can want further proofs; and as I write for the satisfaction of neither knaves nor fools, I shall now take my leave of the Doctor as a *moralist*, and consider him under the character of a *politician*, a *philosopher*, and a *physician*.

“And why will you,” exclaims the reader, “tease me with so frivolous and despicable a subject?”—I acknowledge the justice of the reproof; but I beg leave to observe, that the undertaking is not a voluntary act. It has, like Rush’s *birth and moral character*, been forced on me by the printed report of the trial; and, therefore, whatever honour he may derive from the examination, must be attributed to the superabundant zeal of his own advocates; or rather, perhaps, to his discretion, in having engaged them on a *conditional fee* *.

These impassioned pleaders, who seem to have thought that they heard the sweet chinking of the English guineas at the close of every period, not content with representing their client as “*immaculate*,” as the most “*tender*, the most *meek*, the most *unoffending*, and the most *benevolent* of mankind,” could not refrain from adding to their vocabulary of superlatives, the most “*patriotic*” and most “*learned*.” They desired the enlightened jury to observe well, that Doctor Rush was a “*saving angel*” and a “*republican*,” while the defendant was a “*demon*,” a “*royalist*,” and (still rising in the climax) a “*British subject*.”—“My client,” said Hopkinson, “*has often drawn his pen in the service of his country*. His fame has spread as extensively “as our commerce. *He has added a fresh and bloom-*

* Their bargain was to have one half of whatever they could get out of me!!!

“ *ing laurel to the head of American genius. He has*
 “ *done much to rescue the American name from that ob-*
 “ *loquy and contempt, which some of the proud phi-*
 “ *losophers of Europe would cast upon us, ranking*
 “ *us as inferior to themselves in the order of beings.*”

This was rare sport, as far as it went; but I marvel much, that the zealous Hopkinson, who is himself an author both in prose and verse, did not enlarge, did not go into some detail, on so charming a subject. I am surprised that he did not tell the jury *what* services Rush's pen had rendered their country; that he did not explain to them *how* this great man had rescued the American name from obloquy and contempt; that he did not delight their eyes as well as their ears, by *showing them some of the sprigs* of the fresh and blooming laurel. So industrious an advocate ought, methinks, to have recollected the instantaneous effect which Mark Antony produced on the sovereign people of Rome by the judicious display of a piece of blotted parchment; and though poor Pennsylvania bears none but *bastard* laurel*, the “*nice-feeling*” Hopkinson might easily have come into court with a bunch of THAT *under his arm*. It might not, indeed, have been very *fresh* or very *blooming*; but, I dare say, the group would have ogled it with singular delight.

This omission on the part of Hopkinson astonishes me the more, when I consider that he might have entered into particulars with so little trouble to himself, and so much advantage to his ingenious and learned client. He had nothing to do but to open

* The *laurus nobilis* will not grow in Pennsylvania. The sort found there is that which botanists call the *kalmia*, or *dwarf laurel*; and, because it comes by chance, and is never cultivated and regularly planted, the vulgar call it the *bastard laurel*. The buds and berries that it bears are poisonous.

the Doctor's works, and go on from subject to subject, comparing his theory with his practice, and expatiating, at every close, on his profundity and consistency. Beginning with the *Politician*, he might have shown, from Rush's eulogium on the President of the Democratic Society, that he insisted on a republic's being the only government fit for a human being to live under; and he might then have observed, as a proof of the eulogist's sincerity, that he, in a year or two after, married his daughter to a *subject*, and sent her to live under the government, of a King. Further, he might have shown, from the same work, that his client professed the most ardent love for personal independence, and might have given another striking proof of his sincerity, by remarking, that he, immediately afterwards, solicited and obtained a fat post for himself, and another for his son, the "generous" bludgeonist. From Rush's Account of the Yellow Fever of 1793 (written before he got into place), Hopkinson might have exhibited to the jury a great number of proofs, that the Doctor was not an admirer of revolutions in medicine only, and that, so full was he of the politics of Tom Paine, he could not resist the temptation to hail the approach of the auspicious day, when "the general use of calomel, jalap, and the lancet" (merciful God!) "shall be considered among the most essential articles of the knowledge and rights of Man!!!"—If the jury had felt (of which, however, there was little fear) any qualms of conscience at the tremendous prediction, the sagacious pleader might, like Timotheus of old, have changed both his subject and his tone, and returning to the Doctor's mazy dance of politics, have followed him from the Blue-stocking and Yellow-wigs to the Constitution-alists, from them to the Republicans, from the Republicans to the Jacobins, and from the Jacobins to the Federalists, amongst whom Mr. Adams has

discovered the art of keeping him steady, by giving him, his family, and relations, an ample share of the loaves and fishes *.

Proceeding to the *Philosopher*, it was peculiarly incumbent upon Hopkinson to show *how* the Doctor had “ added a fresh and blooming laurel to the head “ of American genius,” and *what* he had done “ to “ rescue the American name from the obloquy and “ contempt cast upon it by the proud philosophers “ of Europe.” A very few leaves of this laurel would have sufficed; but he certainly might have shown some of it. He might have reminded the wise jury, that Doctor Rush once read Chemical Lectures to young ladies in the Philadelphia *Female Academy* ‡. These pretty girls were told by the learned

* *John Rush*, the “ nice-feeling, generous” gentleman who committed the base assault on poor old Doctor Rois, was appointed a *Surgeon* in the frigate UNITED STATES; but, behold! before he had been many months a *surgeon*, he was appointed a *Lieutenant* of the said frigate!!! Like his father, he appears to be a man of universal genius. He first studied *medicine*, then the *law*, then *medicine* again; then became a *surgeon*, and, taking a fancy to the uniform of a lieutenant, he became a lieutenant. It is a mercy he did not fall in love with the post of Commodore!—As it is, however, a few lucky shots from the enemy might put the best vessel and the most numerous crew belonging to this country under his command! “ *Vivat Respublica!*”—What an outcry would be raised in England, if a promotion like this were to take place!

‡ This Academy was, a few years ago, in great vogue, but is now, alas! *no more*.—It was founded on principles somewhat similar to those of *Mary Wollstonecraft* and *John Walker*, and was intended as a seminary where the republican fair might obtain the rudiments, at least, of the *Rights of Woman*. That all might be of a piece, the principal master was an old Irish soldier, who “ left” His Majesty’s 47th regiment at the battle of Lexington and Concord. His name was *Brown*. He afterwards published a paper, by the assistance of Rush, and, as a grateful return for that assistance, his miserable sheet was always at the Doctor’s command. To say that this fellow *deserted* would be “ too harsh,” as Mr. Harper says. He felt a call to quit the ranks of a “ tyrant” (as the King is called in the *Declaration of Independence*),

learned philosopher, that the longevity of the antediluvians was entirely owing to their breathing dephlogisticated air; for that, before the deluge, there were none of those noxious vapours, which, in this our day, arise from stagnate waters!

In Rush's Treatise on Education, Hopkinson might have found two fundamental principles: 1st, *That true learning depends upon a total ignorance of the learned languages*, the study of which not only wastes the time at a precious period of life, but, by giving

in order to join the standard of *Liberty*; and, though there was an *oath* in his way, he nobly surmounted the obstacle.

Having had occasion to mention this man, it would be a culpable neglect in me not to say something more of his history, which certainly furnishes one of the most awful lessons ever held out to mankind.—*Brown* was a private soldier at the time of his "*leaving*" the 47th regiment; he rose rapidly in the American army, and was, at the time when Gen. Burgoyne was captured (see *ANBURY*, vol. ii. p. 205), a Major and Commissary of Provisions. After the war was over, he kept the Female Academy of Philadelphia; he next established a newspaper, which, for profit, was thought to be the first in the United States. He used to boast of clearing *sixteen thousand dollars* a year; and though this was a shameful exaggeration, it is certain that he lived in great splendour, kept his chariot and pair and his country seat. His prosperity seemed not only to be complete, but to have received the stamp of duration; when, lo! in one fatal hour, a fire kindled by a spark in his office, bereft him of the wife he had married, and of all the children that had been born to him, after his leaving the service of his king. He himself, who had not many hours before returned from a joyous concert, was not, indeed, burnt instantly to death; but he expired at the end of two days, during which time his excruciating torments suffered him to retain just enough of his senses to learn, that of all his children, the only one left to inherit his wealth, was a son whom he had by a former wife, in Ireland, and whom he had disowned and driven from his door!

Who can view the progress and the lamentable catastrophe of *Brown*, without thinking on the words of Holy Writ?—"I have seen the wicked in great power, and spreading himself like a green bay-tree. Yet he passed away, and, lo! he was not: yea, I fought him, but he could not be found."

ancient notions, precludes the possibility of infilling modern ideas into youthful minds* : 2d, That children should have sharp knives, chissels, hatchets, shears, and every sort of edge-tool, to *play* with ; because clipping a nose, or chopping off a finger, is a trifling accident in compariton with the advantage to be derived from an early knowledge of the use of these instruments. If the Doctor had written his Treatise at a later period, he certainly would not have omitted the *Guillotine*, of which useful revolutionary instrument there is an excellent model kept, for the instruction of the citizens, in the Philadelphia Museum !!!

There was one leaf of the Doctor's philosophical laurel, which his eulogist should on no account have forgotten : I allude to his learned Treatise on the colours of the skin. In this Treatise, which is to be found in the fourth and last volume of the Transactions of the American Philosophical Society (of which Rush is a very worthy member), he endeavours to, and thinks he does, prove, that the colour of the Negroes proceeds solely from the *leprosy*, and that, when the race shall be *purged* of that disease, they will all turn white !!!

After having produced these specimens of the fresh and blooming laurel, these convincing proofs of Rush's successful efforts, as a philosopher, *to rescue the American name from CONTEMPT*, Hopkinson might have given the Jury a sketch of his patriotic endeavours in the character of a *Physician*. He might have quoted a book, written by Doctor Rush, long ago, in answer to Cadogan's Treatise on the Gout, wherein the Pennsylvanian "*Hippocrates*"

* Rush despises a knowledge of the learned languages for much about the same reason that an ugly old hag despises beauty.

recommends

recommends *hot suppers and good living at night*, for this wise reason; that nature has a deal of business during the day, in supplying muscular motion and the operations of the mind, and, of course, cannot attend to digestion, which is best performed in sleep, when she has nothing else to do!

He might have produced the Doctor's Essay on Consumptions, where he says, that going to sea was good for that disease, only when the patient should be obliged to live as sailors before the mast do, and be *frequently exposed to cold, to wet, to hard labour, to coarse diet and rough usage*: that going into the country for the salubrity of the air, was, in such complaints, absurd, unless the patient were made to *work at the plough, to be out in all weather, and to return home after night*; and that, when a man is so weak that he cannot sit upon a horse, it is a strong indication that *he ought to ride!!!*

He might have had the evidence of several medical gentlemen in Philadelphia, that Doctor Rush recommends bleeding in the *dropsy* and in the *ague*, because in these there are inflammatory symptoms!!! —And, if any one of the Jury had had the audacity to observe, that this was like brandy being a predominant ingredient in pure water, or fire being concealed in ice, Rush might have sued him for damages.

Hopkinson might have appealed to the Managers of the Pennsylvania Hospital (one of whom, the *steele-headed Coats*, was, indeed, all the time at his elbow), and these gentlemen could have told the Jury, that Doctor Rush, the modern "Hippo-crates," caused a thing like a gallows, with a rope suspended from it, to be erected in their yard, for the purpose of curing insanity by *swinging*; that the
poor

poor patients, on viewing this well-known engine, with its ominous pendant, thought they were brought out to be hanged, and that, after the first operation, they imagined they had a temporary reprieve, but were, the next time, to be tucked up in earnest!!!!

But, of all the sins of omission of which mortal man was ever guilty, Hopkinson's neglecting to detail, and expatiate on, the Doctor's system of *depletion*, was certainly the most heinous and unpardonable. What makes this conduct the more preposterous is, that Rush's lawyers, and the Judge, made it a great crime in me, *not to have examined the system!* Please heaven, they shall not have to charge me with the like omission this time; for if I leave unexposed any one of its absurdities; if I leave unrelated one anecdote in the history of blood, it shall be for want of knowledge or of memory, and not for want of inclination.

[To be continued.]

REPUBLICAN FRANKNESS AND GRATITUDE
 EXEMPLIFIED IN THE CONDUCT OF
 DOCTOR MEASE,
 THE PUPIL, THE FRIEND, AND ONE OF THE
 WITNESSES OF RUSH.

*" Read this, my young blade, and then to dinner
 " With what appetite you may."*

THIS *Doctor Mease* was one of those men, who volunteered in the glorious service of retailing to a Court and Jury certain words, which in a tête-à-tête conversation he heard me utter, respecting my resolution to punish Rush for his insolent appeal to the law against Mr. Fenno and me. My counsel, Mr. *Harper*, who seemed anxious to find something to commend in every one who gave satisfactory proofs of being my enemy, was kind enough to observe, that the three witnesses (*Mease* among the rest) were "*gentlemen of great respectability for their age.*" What he meant by tacking on the phrase, "*for their age,*" I cannot think. Did he mean, that they were rendered respectable by their *gray locks*, or that, considering their *beardless chins*, they were very respectable fellows? Either meaning was equally nonsensical, for they were all three about *thirty* years of age; so that "*for their age,*" was an unmeaning expletive, clapped in to ward off the charge of having bestowed on these volunteer heroes his *unqualified* approbation.

But, however respectable *Mease* might be for his age, I am persuaded, that, after the relation of the following anecdote, he will be more respectable for his *frankness* and *gratitude*.

Mease

Mease was, during the yellow fever of 1797, Physician of the port of Philadelphia; it was his business to inspect all entering vessels, and if they had sick on board, or came from certain places, it was his duty to make them perform a quarantine opposite the fort. That he was extremely fit for this post every one must allow, who considers that he believed, with his famed preceptor, that the yellow fever was generated in the *air*, and that it could not, in any case whatever, be *imported*. And who can enough admire the submissiveness of the poor sovereign people, who, without daring to remonstrate, suffered their health and lives to remain at the mercy of such a man?

The "respectable" Mease, to whom the Governor, Mifflin, had given the post as so much of the public money which he was obliged to bestow on some one else than himself, acted as might be expected. Very few vessels were stopped; and the Board of Health having forced Mifflin to issue a proclamation forbidding the entrance of certain vessels into the ports of Pennsylvania, Mease suffered them to go by the fort, by which they were enabled to get up to Burlington in New Jersey. The Mayor of Burlington complained of it to Mifflin, who answered his letter with expressions of regret at the conduct of Mease, which he called "*highly irregular*." That this epithet was far too mild to be applied to an act of disobedience, so audacious in itself, and so dangerous in its consequences, every one must perceive. Indeed, the poor sovereign people of Philadelphia, though they dared not speak out, did, in this instance, grumble most bitterly; and some of them had even the courage to declare (in a *whisper*), that the intolent Rushite ought to be turned out of his place; in which opinion the reader will, I think, perfectly agree with them.

So thought not, however, the pupil of Rush. A man who had learned to bleed and purge under the Pennsylvanian "Hippocrates," was not, though in terms the most gentle, to be censured with impunity. But the young man was for some time at a loss for a *mode* in which to obtain vengeance. Mifflin, though sunk to the lowest ebb, had yet spirit enough left to beat forty Rushites together; and he had, besides, the power of reducing Mease's revenue from about 900 dollars a year to *nothing*. Duly impressed with these circumstances, and wisely resolving still to go to bed with a full belly and whole bones, this "gentleman, respectable for his age," fell upon a way of giving poor Mifflin a stab, without letting him see the base and perfidious hand by which it was given: in pursuance of this his intention, he sent me the following note, and paragraph, which I now copy from his own hand-writing:

"Dear Sir,

"If you do not think *the enclosed paragraph* proper to come out in *your name* (in which I have taken the liberty to write it, and which I hope you will excuse), *do not insert it*, but otherwise I would thank you to publish it.

"Your friend,

"Mr. Wm. Cobbett."

"JAMES MEASE.

"Sept. 20."

PARAGRAPH.

"PETER PORCUPINE has this day published Dr. Mease's letter to the Mayor of Burlington*, explaining the principles upon which he acted, in permitting certain vessels *bound to Burlington*" [a wretched lie!] "to pass his station without perform-

* This letter, a very humble though a very shuffling excuse for his conduct, appeared in all the papers.

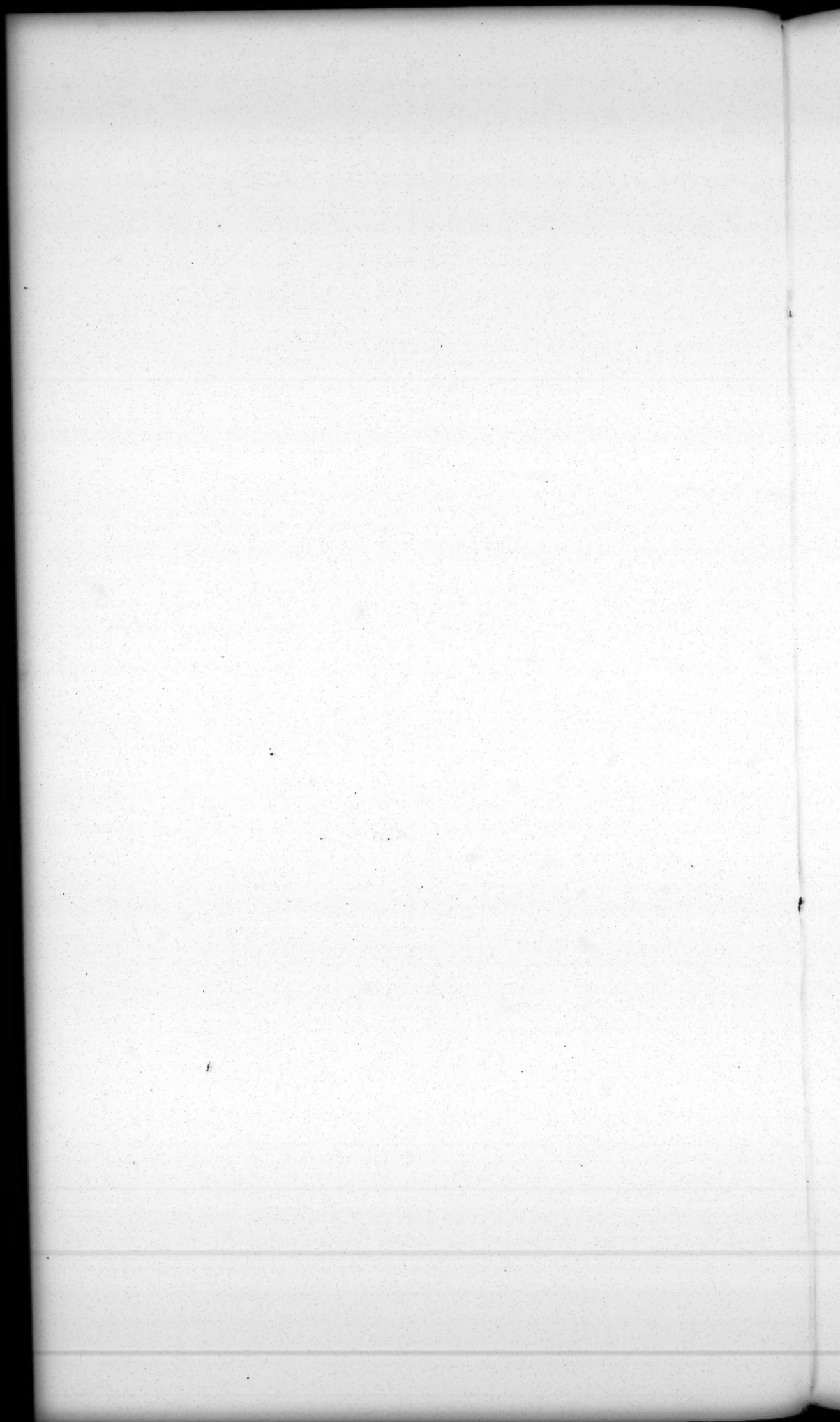
“ ing quarantine ; and, in *Porcupine's opinion*,”
 [oh ! you impudent lying dog !] “ is fully satisfac-
 “ tory. As an officer of Pennsylvania, Dr. Mease
 “ would have acted in a very arbitrary manner, had
 “ he done otherwise.” [What a cat's paw, what a
 quibbling, what a villanous miscreant this fellow
 wished to make of me !] “ The Governor says Dr.
 “ Mease's conduct was *highly irregular*, and that he
 “ will sanction no act that may injure the feelings
 “ of the citizens of Burlington ; but this *we all*
 “ *know* is mere stuff, for that he” [the very man
 who had given him his place !] “ does not care a
 “ cent for their feelings, *provided his own depraved*
 “ *sensations are gratified by the brandy-bottle !*—The
 “ more the Governor's principles are developed, the
 “ more it is discovered that he is a rank Aristocrat,
 “ under the cloak of a Democrat. Hence he wishes to
 “ make his ‘ Proclamations’ extend to Jersey ; though
 “ the law” [a subterfuge worthy of a Rushite],
 “ it appears, which authorizes him to issue this
 “ proclamation, says it shall not. When in the
 “ drunken frolics with the *rabble*” [this fellow was a
 declared Democrat !] “ in 1794, in which the Go-
 “ vernor presided,” [and where Mease was one of
 the ‘ *rabble* !’] “ to celebrate *the murders and assas-*
 “ *sinations of the cut-throat French*, he drank, ‘ Laws
 “ and no proclamations :’ but here we see he wishes
 “ proclamations to go beyond laws.”

If any thing more than this be wanted, I am ready to prove, upon the oaths of myself and my clerk, that Mr. Harper's “ gentleman of respecta-
 “ bility for his age,” came afterwards to me in person, requested me to publish the above paragraph, and told me that he wished to keep his own name out of sight, *because people knew he was under great obligations to Mifflin !!!*

“ Never pray more, abandon all remorse,
 “ For nothing canst thou to damnation add
 “ Greater than this !”

Such, reader, is the *pupil* of Rush; such is the man whose *principles* Rush extols, of whose *friendship* he boasts, and of whose perfidious aid he avails himself, in order to oppress his opponents, and awe them into silence ! It is not, I trust, necessary for me to say, that I refused to publish the paragraph, and become the instrument of the mean and assassin-like vengeance of this ungrateful wretch; neither is it necessary for me to say how much he hated me for the refusal, nor what were his motives for volunteering in that act of abominable baseness, which has conjured up this blasting tale from oblivion.

Were not Mease a thorough-paced republican, he would, upon the sight of this pamphlet, go out and hang himself ; but he knows that he is still as good as his neighbours ; he knows that there will not be a man less to take him by the hand, that he shall still be embraced by Rush, and, if occasion serve, still eulogized by Harper.



THE
Rush-Light.

No. II.

28th Feb. 1800.

RUSH AND HIS SUPPORTERS.

(Continued from No. I. page 38.)

*The Rushite System of Depletion, with a Statement of
Porcupine's Reasons for opposing it.*

"The Fever began to ravage the city and
"suburbs; so that we had abundance of
"work, and it may easily be conceived what
"a quantity of *innocent blood was spilt*. But,
"I know not how it happened, *all our sick*
"died."

GIL BLAS.

THE novel system, adopted by Rush, is most aptly denominated, the system of *Depletion*; for the merit of it entirely consists in *emptying* the veins and the intestines with an expedition heretofore unknown and unheard of. Of the effects of this system, the people of America have heard and *felt* enough, but of its origin many of them are totally ignorant. For most of the great discoveries, especially those which have contributed to the depopulation of the earth, we are indebted to what appears to have been mere accident; which was also, in some sort, the mother of the System of Depletion.

“ As yet snuffling was not,” when a puritanical king-killing faint happened to be led by the Spirit to visit a holy sister, who gave him a present that broke down the bridge of his nose. And, as yet MERCURIAL PURGES, and “bleeding *almost* to DEATH,” were not counted amongst the means of preserving life, when the Pennsylvanian “Hippocrates” happened to stumble on a smoky old manuscript present received from Doctor Franklin. But, before I enter on the particulars of this fortunate accident, I must state certain circumstances by which it was preceded.

RUSH had constantly endeavoured to place himself *at the head* of something or other ; and, as is common with persons possessed of vanity too great to suffer them to remain quiet in obscurity, and of talents too contemptible, or tempers too fickle to enable them to attain superiority by the ordinary course of advancement, he had ever been upon the search for some discovery, some captivating novelty, to which he might prefix his *name*, and thus reach, at a single leap, the goal at which men seldom arrive but by slow, cautious, and painful approaches. To a determination to become a great man, in defiance of niggardly Nature, might be fairly attributed all the solemn fooleries of this versatile Doctor, who, in his impatient pursuit after fame, had chopped and changed from science to science, till at last, like the straggling hound, he had the mortification to see himself outstripped in the chase by the slow-motioned companions whom he formerly despised*.

Various

* Just such another being is that *pestilential* writer, Noah Webster, jun. “*Esq.*” This poor creature, who, had he been content to move in that sphere for which alone Nature intended him, would, by this time, have been a very tolerable teacher, and would have gained an honest and reputable livelihood, has, by his
vanity

Various were the tricks that he tried ; Religion, Morals, Jurisprudence, Literature, Economy, Politics, and Philosophy, all became, at times, the subject of his plans and his projects. Still, however, fame fled from his grasp. His "*Original Essays*," though aided by puffs in abundance, excited a laugh, and that was all. The learned languages were still taught in the schools ; little girls still played with dolls, and parents still kept sharp knives and pointed scissars from the hands of their children ; men still used tobacco, and women continued to sweeten their tea with West India sugar. Thus baffled, thus first despised, and then forgotten, as an author, the Doctor saw no hope of rendering himself distinguished but as a *physician*. On this, therefore, he appears to have resolved, much about the time that the Yellow Fever of 1793 offered an opportunity favourable to the enterprise. He had, by those arts which men of his stamp never fail to employ, obtained some trifling marks of respect amongst certain philosophical bodies in Europe* ;
he

vanity and presumption, rendered himself, successively, an object of indignation and contempt, ridicule and pity. From the collision of two such bodies as Rush and Webster, one might naturally expect something strongly expressive of emptiness ; and accordingly a farcical anecdote of their first meeting in Philadelphia, where Webster had just been appointed a teacher in the Episcopal Academy, is worth relating.

SCENE THE STREET.

Enter Rush and Webster.

Rush.—How do you do, my dear friend ? I congratulate you on your arrival in Philadelphia.

Webster.—You may, if you please, Sir, congratulate Philadelphia on the occasion !!!——(*They embrace.*)

* Rush's pleader, Hopkinson, observed that his learned client had received honours and compliments from the *East Indies*, and from the *West Indies*. I should like to know whether these honours and compliments came from the Moors or the Gentoos, from the

he had thrust himself into many of the public institutions in America ; he read chemical lectures to the young " Ladies" in the Philadelphia Academy, and clinical lectures to the young " Doctors" in the university of Pennsylvania ; but all this did not make him a first-rate medical man. His practice was still confined to that class of people who are not the best qualified to judge of, or the most able to reward, scientific merit.

To recover his lost ground, to relieve himself from this humiliating situation, and to tower over

the Negroes or Mulattoes. Probably King Touffaint, hearing that our famous phibotomist is Treasurer of the Mint, may have conceived him to be a personage worthy of his " high consideration." I wonder Hopkinson had not produced some proof of his client being held in great esteem by their Majesties, Kings Bull-Dog and Hanging-Maw, at whose court he himself had the *honour* of a public audience.

But another of the pleaders, Ingersol, went further. He told the jury, that his client was an *honorary* member of *almost* every Society in *Europe*, or in the *world*. When I was a boy, we used to say, that *almost* and hard-by saved many a *lie* ; but, I can hardly allow Master Ingersol to take shelter under this salvo. Amongst the learned societies that ought to be supposed capable of judging of Rush's merits, are, certainly, those of Great Britain ; and I can assure the reader, that, notwithstanding all the efforts of the Doctor, his name has never met with any thing worthy of being called *honour* from those societies. He has, indeed, been noticed by two or three little knots of visionaries in France and Germany, amongst whom any man may purchase an *honorary* membership with the price of a pair of shoes a-piece for the president and vice-president.—Ingersol descended to particulars, and in this he was singularly fortunate. He mentioned *Dr. Trotter* as having borne testimony to the merits of Rush ; but, without knowing, perhaps, that *Dr. Trotter* had also borne testimony, and in a more decided and public manner, to the merits of *Perkins's metallic points!!!* It is pity the pleader had not been apprized of this fact. What a fine opportunity for exulting at the triumph of American genius over the " obloquy and contempt cast upon it by the proud philosophers of Europe !" And let it be remembered, too, that these two great men have arisen *since the revolution* ; since these states have been a *Republic*. Had such lights begun to blaze forth under the Monarchy, I doubt that some one would have been found tyrannical enough to put the extinguisher on them.

the

the heads of his envied brethren, he seized, with uncommon alacrity and address, the occasion presented by the Yellow Fever, the fearful ravages of which were peculiarly calculated to dispose the minds of the panic-struck people to the tolerance, and even to the admiration of experiments, which, at any other time, they would have rejected with disdain. Besides this debilitated state of the public mind, Rush had several other circumstances in his favour : the only newspaper (that of Brown), which continued to circulate in the city, was almost entirely under his control ; his clamorous professions of republicanism had gained him numerous partizans amongst the class of citizens who could not flee to the country ; and the physicians, whose opinions he had to encounter, though highly respected by all classes, were men of too peaceable a turn to enter the field with a person, who scrupled not, at the very opening of the campaign, to carry the war into the public prints ; and though many of them were by no means deficient in point of spirit, they probably thought it beneath the dignity of their characters to engage in a contest, of any sort, with a *Discoverer of Nostrums*. The reflecting on these circumstances, which would have damped the spirit of a man of real science, acted as a stimulus with the enterprising Rush, who, so that he gained a *name* amongst the multitude, seemed totally regardless as to its being purchased by the contempt of his skilful contemporaries*.

He

* Many are the anecdotes which the Philadelphians relate of the disgusting vanity of this man ; but I do not, at present, recollect one so perfectly in character as the following. Rush had advanced, in one of his lectures or essays, some wild and ridiculous position, for which he was reproved by a gentleman who knew him. "Well, well," replied he, "never mind it; only say, it is *à la mode de Rush*."—Paltry, despicable vanity ! If, however, *notoriety*

He did not, however, according to his own account of the matter, go incautiously to work ; but took all those preliminary steps, which serve to give the air of plausibility to an unjustifiable procedure. He first consulted, as usual, with the College of Physicians ; he learnt the particulars, and tried, or pretended to try, the effects of the practice of every individual physician of note : then, and not before, he broached his *grand discovery*. The manner in which this discovery was made, with the pranks that he played before and after it, if we could forget the melancholy circumstances that accompanied them, furnish an admirable subject for the pencil of a Moliere.

At the first breaking out of the Yellow Fever, he made use of "*gentle purges* *;" these he laid aside, and had recourse to "*a gentle vomit of ipecacuanha*;" next he "*gave bark in all its usual forms, of infusion, powder, and tincture, and joined wine, brandy, and aromatics, with it*;" this was followed by "*the application of blisters to the limbs, neck, and head*;" these torments were succeeded by "*an attempt to rouse the system by wrapping the whole body in blankets dipped in warm vinegar*;" he next "*rubbed the right side with mercurial ointment, with a view of exciting the action of the vessels through the medium of the liver*;" after this he again returned to bark, which he gave "*in large quantities, and, in one case, ordered it to be injected into the bowels once in four hours*;" and, at last, having found, that wrapping his patient in blankets dipped in warm vinegar

riety be still his only wish, that wish is now in a fair way of being gratified even to satiety.—By the aid of a Philadelphia court and jury, he has procured an ample provision of money and of fame.

* See his Account of the Yellow Fever of 1793, page 193 and the following.

did

did no good, he “ *directed buckets full of cold water*
“ *to be thrown frequently upon them!!!*”

Surprising as it may seem, his patients *died!* Thus baffled, as he tells us, in every attempt to stop the ravages of the fever, he anticipated all the numerous and complicated distresses attendant on pestilential diseases. “Heaven alone,” says he, “bore witness to the anguish of *my* soul! But” proceeds he in the same strain of disgusting egotism, “I did not abandon a hope that the disease might yet be cured. I *had* long believed that good *was* commensurate with evil, and that there *does* not exist a disease for which the goodness of Providence *has* * not provided a remedy.” And modestly presuming, that he was (as he afterwards boasted in print) the instrument chosen by Providence for discovering the remedy which it had in this case provided, he tells us, that he applied himself with fresh ardour to the investigation of the Yellow Fever, and for a long time in vain. “But,” says he, “before I desisted I *recollected* that I had, *among some old papers*, a manuscript account of the Yellow Fever, as it prevailed in Virginia, in the year 1741, which had been put into my hands by Doctor Franklin, a short time before his death.”—This present, which was not the only one Franklin bestowed on Philadelphia, proved to be, in its qualities, something like that which poor Hercules received from Dejanira.

* Reader, I beg you to pay attention to the *grammar* of this sentence, and to recollect, that the writer of it has published what he calls “*Literary Essays* ;” that he has had the assurance to decry the mode of teaching followed in the schools and universities, and the intolerable impudence to propose its abolition, to make way for *a plan of his own!* It is astonishing that amongst the hundreds of men of learning and genius who have been reviled by this illiterate pretender to universal knowledge, no one has ever undertaken to expose him.

Rush

Rush tells us (A. of Yellow F. of 1793, p. 197), that he was much struck with certain passages of this old manuscript, but particularly with one, in which the writer observed, that “an ill timed scrupulousness about the weakness of the body was of bad consequence,” and he declared that he had “given a purge, when the pulse was so low that it could hardly be felt*.”—Reading on, Rush says he came to the following words:—“This evacuation must be procured by lenitive chologogue purges.”

“Here,” says he, “I paused.—A new train of ideas suddenly broke in upon my mind.”—He then mentions his former scruples; “but,” adds he, Dr. “Mitchill” [the man of the old manuscript] “in a moment dissipated my ignorance and my fears. I adopted his theory, and practice,” and [without any trial] “resolved to follow them!!”

Having, “in a moment,” formed this resolution, he very soon proceeded to put it in practice. The “chologogue purge” that he fixed upon was composed of ten grains of calomel and fifteen of jalap. To this purge, which the inventor sometimes called the *Sampson* of Medicine, was added copious blood-letting; a most powerful co-operator!

With these remedies the Pennsylvanian “Hippocrates” set to work in the beginning of September. This practice gained no partizans, except amongst the ignorant beings who were about his person, or who had recently been his pupils. But, what with the public rage for wonder-working medicines,

* I wonder whether this intrepid fellow was a progenitor of the modest Dr. Mitchill of New York? The latter is the founder of the “Mitchillianian” something or other, I have forgotten what.

the noisy boasting of the Rushites, and the delicacy which imposed silence on such men as Drs. Khun and Wistar, the mercurial purges became popular, and the Discoverer, so elated, that he thought it no longer necessary to suppress the suggestions of his vanity : accordingly, on the 12th of September, he actually came out in the newspapers with an exulting recommendation of the use of *his* specifics, as the only means of saving the lives of the sick.

Various were the publications that he now sent through the papers, in the form of paragraphs, cards, letters, &c. in one of which he asserted, that, in consequence of his discovery, there was no occasion for fleeing to the country, for that the Yellow Fever was no longer a dangerous disease, but was *now* perfectly under the power of medicine. He concluded this card to the people, which was published on the 12th of September, by saying, that, with *his* remedies, "there was no more danger to be apprehended from the Yellow Fever, than from the *measles* or the *influenza*." On the 17th of the same month he concluded a letter to the College of Physicians (who entirely disapproved of his practice) by positively declaring, that, could *he* visit all the sick, and be assisted with proper nurses, the disease would soon be reduced, in point of danger and mortality, to a level with a *common cold*! Still rising in audacity, he wrote to Dr. Rodgers of New-York, on the 3d of October, a letter, which was immediately published, and in which, after speaking of the practice of the other physicians in terms the most contemptuous, he asserted, that *he* recovered *ninety-nine* patients in a *hundred*!

On the impudence and insolence of these publications the reader will ask for no comment, and

their *falsehood* (if, indeed, that will admit of a doubt) shall be amply proved, after I have given some account of the Doctor's practice of *emptying*, and of his coadjutors in carrying on the noble work.

The practice was, as he said, very simple and very efficacious ; for it consisted merely of bleeding upon bleeding, sometimes to one hundred and fifty ounces, and of purge upon purge, sometimes to sixty grains of mercury and to ninety grains of jalap ! It would be highly presumptuous in me to pretend to give *my own* objections to this, or to any other mode of treating a disease : and, therefore, though such unmerciful bleeding and purging seem to be synonymous with death itself, I shall state the objections which were made by those gentlemen, who were, who are, and who will remain, at the head of the medical profession in America.

These gentlemen insisted that *the purges* were of too drastic a nature ; they compared them to *arsenic*, and said it was a dose for a horse.—They said that the mercury excited salivation, even to loosening the teeth*.—They said that it inflamed and lacerated the stomach and the bowels ; and, in proof, they cited a dissection made at Bush-hill, wherein were exhibited the horrid effects of the mercurial purges.—They further said, and, as far as I was able to learn, with great truth, that this violent and dangerous purge, though it must inevitably be destructive in weak habits, was prescribed indiscriminately in all cases, to persons of

* Rush replied to this objection by saying, that he “ met with “ but two cases in which there was a *loss* of teeth from this medicine.”—But, my dear “ Hippocrates,” there is some little difference between *loosening* and *losing* one's teeth. You think it is nothing, I suppose, unless your patients' teeth drop into his porridge ?

both sexes, and of all ages.—Finally, when the calls of humanity compelled them, after long forbearance, publicly to protest against these dreadful doses, they reprobated the use of them in the strongest terms. Doctor Currie, who was one of the College of Physicians, earnestly besought the poor deluded Philadelphians to open their eyes, to beware of the new remedies ; for, said he, “ *the mode of treatment advised by Dr. Rush cannot, in the Yellow Fever, fail of being CERTAIN DEATH.*”

As to the *bleeding* part of the practice, the same learned and experienced gentleman said, and I believe, most truly, that it was *dangerously copious*, and that many persons had been destroyed by it *. —They said, that if the patient happened to survive such copious discharges of the vital fluid, they produced weakness, and that their consequences often terminated in the total ruin of the constitution.—Here also they justly complained of the want of discrimination, and asserted that blood-letting was prescribed in all cases, without any regard to the habit, the age, or the force of the diseased.

To each of these objections Rush replied by producing patients *who had survived* the treatment objected to ! That is to say, by proving to the satis-

* Rush, in replying to this objection, has these words : “ As a *proof* that I did not draw one ounce of blood too much, it will be only necessary to add, hæmorrhages *frequently* occurred *after* a third, a fourth, and in one instance, *after* a sixth bleeding had been used.”—Now, reader, of whatever nation, kindred, or tongue, you may be, if you live in an American seaport, and have a life that you think worth preserving, do not proceed an inch further till you have carefully, and candidly, perused a short article towards the close of this pamphlet, entitled, “ *The Ignorance of the Pennsylvanian Hippocrates exposed.*”—Turn to it immediately, I conjure you, and do not quit it, till you have read it three times over.

faction of the most incredulous, that *every one* he touched did not die ! Nobody ever contradicted him ; for it was never doubted, that there were constitutions capable of resisting even his prescriptions. For instance, he mentions Mr. Mierken as being able to *work* in the sugar-house, in nine days after his last bleeding ; but, he takes good care not to say how much, or rather how little, blood Mr. Mierken lost, and, in the language of one of his opponents, he remembers to forget to say that Mr. Mierken is the Hercules of Philadelphia ; that his amazing strength is proverbial, and that, as to his *working* in his sugar-house, it is as ridiculous as it would be to talk of an Admiral's *working* on board his ship.—But, I know of no man who surpasses Rush in what is vulgarly called, cheating the devil of a lie. This statement respecting Mr. Mierken is no unfair specimen of his candour.

His co-operators in the practice above described, were his former pupils, *Leib, Porter, Annan, Woodhouse, and Mease*, men, who, as *physicians*, were scarcely known. Leib, to the celebrity of whose morality I shall dedicate some future Number of this work, has, since the Fever of 1793, found it prudent to quit the healing art, and become (God save the while!) a *legislator*. Of Dr. Porter I never heard, till he resigned his *no-salary* post in the Dispensary, because his colleague Dr. Reynolds (the United Irishman) had been turned out by the managers of that institution. Dr. Annan died of the Yellow Fever. I never knew him ; nor did I ever hear his name mentioned three times in my life. Mease, the *grateful* Mease, the reader saw enough of, in the first Number of the Rush-Light ; but, if any criterion be wanted respecting his professional character, and the extent of his practice as a Physician, let it only be remembered, that in 1797, four
years

years after the period of which we are now speaking, he thought himself happy in the office of Physician of the Port, which confined him to an island several miles from the city, upon a salary of about nine hundred dollars a year, an income little exceeding that of a journeyman mechanic in Philadelphia. As to poor Woodhouse, or, as Rush calls him, Dr. Woodhouse, I refer the reader to an article in the next Number, entitled the " RAVING RUSHITE." To the above-named practitioners are to be added, of course, five pupils, who yet remained under the tuition of Rush.

Such were the medical characters, of whose concurrence and whose aid the Doctor had to boast. I shall now speak of the irregular brethren and sisterhood, who were called in to assist in administering the potent mysteries, and whom the High Priest very properly calls the "undisciplined sect of practitioners." Of this sect, which was tolerably numerous, Rush records the exploits of a few of the most eminent; these were, a *Popish Priest*, a *German Apothecary*, an *Auctioneer*, two *Old Women*, and a brace of *Negro Parsons*, the REVEREND ABSALOM JONES, and the REVEREND RICHARD ALLEN *!!!
Of

* Amongst the numerous evils, which the spirit of equality has produced in the United States, the degradation of the *clerical character* is not the least; and, amongst the causes, which have produced this evil, the admission of Negroes to the ministry has not been the least efficient. Philanthropic dreamers may say what they please; they may tell us, that we are all men, and all made by the same Almighty hand; but we see that this same Almighty hand has made some *white*, and others *black*, and till these two colours shall appear the same to our sight, we never shall believe that whites and negroes were intended to live upon an equality with each other. But, as if the degradation of the clergy were not completed by the admission of members of the African race, the above-mentioned aid-de-camp of Rush, the Rev. Mr. Allen, joins to his profession of clergyman, that of *chimney-sweep*;

Of this motley squad the two Reverend Negroes seem to have been his favourites ; for, says he, “ they “ spent all the intervals in which they were not “ employed in burying the dead, in visiting the “ poor who were sick, *and in bleeding and purging “ them*, agreeably to the directions” [his directions] “ which had been published in all the new- “ papers.” He has the impudence to add, that the success of these fellows “ was unparalleled by what “ is called *regular practice*.” But, ask any man, who had the mortification to be a spectator of their operations, and he will tell you what bloody and dirty work they made amongst the infatuated creatures who submitted to their treatment.

When the reader casts his eye on the wretched city ; when he sees Rush’s *sister*, his pupils, and, perhaps, twenty apothecaries’ apprentices besides, all making packets of mercury ; and when he sees the swift poison (for such mercury is, when improperly used) committed to the hands of old women and negroes, he will not be surprised at the fatal consequences : instead of astonishment at the vast increase of the bills of mortality, he will find ample occasion for thanksgiving that a single man was left alive.

But Rush, on the contrary, blessed God for the discovery he had made, and for the success of his practice. In his above-mentioned letter to Dr. Rodgers of New York, he modestly observed that he had been “ the unworthy instrument in the hands of

swcep ; thus exhibiting an impious resemblance between the most vile, and most sacred functions ; for he is still dressed in *black*, whether in his clerical or his lay character, and he still obeys the injunction to *cry aloud and spare not*, whether he peeps from the pulpit or from the chimney, and whether his vociferations are directed against sin or against foot.

“ a kind

“ a kind Providence of recovering *more than ninety-*
 “ *nine out of a hundred* of his patients ;” and he had
 before, with not less modesty, publicly proclaimed
 in Philadelphia, that, with the aid of *his* remedies,
 the Fever was, “ in point of danger and mortality,
 “ reduced to a level with the *measles*, the *influenza*,
 “ or a *common cold*.” In his Account of the Yellow
 Fever of 1793, a work written after he had time to
 reflect, and to retract these assertions, he repeats
 them with additional effrontery, and thus deprives
 himself of all claim to an exemption from the charge
 of *intentional falsehood*. He gives no *list* of his pa-
 tients; an omission not to be accounted for otherwise
 than by his assurance that such a list would give the
 lie to his assertions, and, of course, withdraw the
 only prop by which the virtue of his famous dis-
 covery was supported. The evasion, by which he
 attempts to account for this omission, is the most
 pitiful that ever suggested itself. “ I regret,” says
 he “ that it is not in my power to furnish a list of
 “ them, for a *majority* of them were poor people,
 “ whose names are still *unknown* to me.”—Can you
 believe this, reader? Can you imagine that this
 man, who was labouring with might and main
 to establish his reputation on the success of a
 discovery, to which he had prefixed his name,
 would omit to note down the names of those he
 cured? Recollect, too, that his system was op-
 posed by other physicians; that the public had been
 cautioned against his practice, as against “ *certain*
 “ *death*.” Under such circumstances, had he cured
more than ninety-nine out of a hundred; nay, had he
 cured but *ninety-nine out of a thousand*, can you
 believe that he would have omitted to note down
 the *survivors*? He says a *majority* of his patients were
 poor people. But this did not prevent him from
 recording the names of the *minority*: and, besides,
 poverty does not deprive men of their names; nor
 are

are the names of the poor any longer, or more difficult to write down, than those of the rich. The Grand Discoverer had several underlings in his house, and though they did, indeed, die off pretty fast, in spite of the specific powders, there was one, at least, I believe, left alive to take down the names of the patients. When I was in the army I frequently wrote from eight to ten regimental muster-rolls in one day, amounting, in all, to about four thousand names : Rush must have had a fearful trade, if his register would have had more work than this. Moreover, suppose that, contrary to the dictates of common prudence as well as to the laudable example of Dr. Perkins and all other great discoverers, the registering of the names had actually been neglected, till the very hour when the Doctor *regretted* that he could not furnish a list : how easily might he have repaired the loss by an advertisement in the newspapers, calling on all those who had been cured by him, to send their names to his house ? He was not very delicate, God knows, in thrusting his remedies into vogue ; and why he should be more delicate in obtaining proofs of their wonderful effects, is, I think, hard to be satisfactorily accounted for. No doubt can be entertained, that his patients (I mean the *live* ones) would have rejoiced in an opportunity of bearing testimony to the virtue of those means by which they had been rescued from the jaws of death. Never did a healing discovery fail of success for want of certificates of its efficacy ; on the contrary, wonder-working nostrums are always indebted for a great portion of celebrity, to the importance which each lucky patient attaches to his existence, and to the vanity which almost every one has, of appearing in print. I repeat, therefore, that a notification in the papers would have received immediate attention ; and that the patients, whom the discovery had left alive,

1

would

would have vied with each other in a speedy communication of their names ; unless, indeed, they were *all* in the state of the unfortunate woman, who was described to Rush by Dr. Woodhouse, and, “ who *after* her recovery, *could not recollect her name!!!*”—Poor souls ! If the Doctor had advertised, few of them would, I am afraid, have collected their names ! *

Fortunately, however, for Philadelphia, and unfortunately for Rush and his discovery, a bill of *mortality* was kept by the officers of the city. This bill of mortality, compared with the vaunts of the Doctor, will enable any one to form a tolerably accurate judgment, not only of the truth of his statements, but of the saving effects of his remedies, as applied by himself and his numerous assistants.

The Yellow Fever of 1793 broke out on the first of August, and from that day to the eighth of September the number of deaths had been various, once as low as three and once as high as forty-two. Now it was, that mercury and the lancet began to be put in motion, and I beseech you, reader, to mark their progress. “ Lift ! lift ! O lift ! ”

On September the twelfth Rush began to recommend his powders by public advertisement. He, at the same time, told the people not to leave the city ; that there was no longer any danger, for that his discovery had put the Fever upon a level with the *measles*, the *influenza*, or a *common cold*. For some days previous to this, the ravages of the Fever had

* See Rush's Account of the Yellow Fever of 1793, page 64.—But when the reader has taken a view of this Dr. Woodhouse, in the article entitled the “ *Raving Rushite*,” in the next number, he will be able to judge pretty correctly of the degree of credit due to the statement of this subaltern reporter.

become less alarming, the bill of mortality had fallen from forty-two to twenty-three per day; and, as Rush had reduced the disease, in point of danger, to a level with a *common cold*, the poor Philadelphians, who were carried away by his noisy impudence, began to hail him as their deliverer from a calamity which they now looked upon as nearly at an end. But, *Death*, who seems always to have had an implacable grudge against the Pennsylvanian "Hippocrates," persecuted him, in the present instance, with more severity than ever; for, from the day on which Rush declared that his discovery had reduced the Fever to a level with a *common cold*; from the day on which he promulgated the infallibility of his nostrum; from that day did the bill of mortality begin to increase in a fearful degree, as will be seen by the following extract.

	DAYS.	DEATHS.
September	11th	23
	12th	33
	13th	37
	14th	48
	15th	56
	16th	67
	17th	81
	18th	69
	19th	61
	20th	67
	21st	57
	22nd	76
	23d	68
	24th	96
	25th	87
	26th	52
	27th	60
	28th	51

September

	DAYS.	DEATHS.
September	29th	57
	30th	63
October	1st	74
	2nd	66
	3d	78
	4th	58
	5th	71
	6th	76
	7th	82
	8th	90
	9th	102
	10th	93
	11th	119

Thus, you see, that though the Fever was, on the 12th of September, reduced to a level with a common cold; though the lancet was continually unsheathed; though Rush and his subalterns were ready at every call, the deaths did actually increase; and, incredible as it may seem, this increase grew with that of the very practice which saved more than ninety-nine patients out of a hundred! Astonishing obstinacy! Perverse Philadelphians! Notwithstanding there was a man in your city, who could have healed you at a touch, you continued to die! Notwithstanding the precious purges were advertised at every corner, and were brought even to your doors and bedfides by Old Women and Negroes; notwithstanding life was offered you on terms the most reasonable and accommodating, still you persisted in dying! Nor did barely dying content you. It was not enough for you to reject the means of prolonging your existence, but you must begin to drop off the faster from the moment that those means were presented to you; and this, for no earthly purpose, that I can see, but the malicious one of injuring the

the reputation of the " saving Angel," whom " a
" kind Providence had sent to your assistance !"

But, it was not only amongst the people in general that the Doctor met with this mortifying perverseness, even the members of his own household, those who dipped in the same dish with him, and who were to share in his honours, seem, in like manner, to have conspired against the fame of his discovery ; for, of his sister and five pupils, all of whom were attacked with the Fever, *four* had the ingratitude to seal, with their death, the condemnation of his practice.

This fact, which the discoverer would doubtless have concealed, if he could, gave a mortal blow to the Rushite system. When the Doctor was called on, as he was repeatedly, for a *list* of his patients, he pretended he had kept none ; when the dreadful increase of the bill of mortality was shown to have begun with the use of his remedies, he replied, that this increase was occasioned by the want of *timely* application, by that timidity which prevented patients from losing blood, or swallowing mercury, enough, and by a want of proper nurses. These reasons, though they could not possibly account for the *increase* of the bill of mortality, might, in some sort, account for its *not decreasing*, and might also, as far as they applied to the city in general, be opposed, with some plausibility to the charges brought against the *inefficacy* of the new discovery ; but they could, in no way whatever, be applicable to the brethren and sisterhood, who were not only fully persuaded of the virtue of, but were employed in preparing and administering, the infallible remedies, more especially to the happy few, who resided under the same roof with the " saving Angel" himself. These fortunate beings were,
undoubt-

undoubtedly, kept in that state of preparation recommended in the Doctor's bills; they lived in a fine airy house, and wanted for no menial assistance; they could not suffer for want of a *timely* application of the remedies, for, besides that the great "Hippocrates" himself was always within call, each patient, the sister excepted, was himself a bleeder, and they all had the life-preserving purges continually under their fingers: yet, notwithstanding all these advantages, they died no less than *four* out of the *six*; and, as this is the only authentic record, from which a judgment can be formed of the Doctor's success, we have an undoubted right to proceed, in our calculation, from the known to the unknown, and to conclude, accordingly, that, instead of *saving* more than ninety-nine, he lost at least sixty-six, out of every hundred of his patients; and, to close the melancholy account, it does not appear, from a list which came out early in the Fever of 1797, under the signature of one of the *pupils* who had the good fortune to survive, that this triumphant practice, when carried to its full extent, saved or rather *spared*, more than twenty-two out of the hundreds and hundreds who were said to have submitted to it*! Well might Dr. Currie call upon his fellow citizens "to *open their eyes!*" Well might he assure them that Rush's yellow-fever remedies were "*certain death †!*"

Such,

* This list was published in all the Philadelphia papers on the 14th September 1797. It was signed by John Redman Coxe, and was intended to *remove the fears* entertained of copious bleeding; but, while the list itself proved, that the Rushites sometimes bled to 100 or 150 ounces, it could produce but 22 persons who had been able to resist a bleeding of upwards of 50 ounces! Coxe did not perceive that he was establishing, in place of removing, the fears entertained of the practice. But, in mistakes of this kind, he only followed the example of his too sanguine preceptor.

† If this be a libel, let Rush prosecute Dr. Currie. Nay, let him

Such, reader, was the origin, and such were the first blessed fruits, of the far-famed *system of Depletion*. It remains for me to give my reasons for endeavouring to explode it, and to justify the means I made use of for that purpose.

In the dispute of 1793 Rush was fairly defeated, notwithstanding he wrote more in the several newspapers than all the other physicians put together, and notwithstanding he plied his "dear Philadelphia," his "dear fellow citizens," with more than *quantum sufficit* of that oily lingo, for which he has long been renowned. His "dear fellow citizens" loved coaxing well enough, but they loved life better. Still resolved, however, not to acknowledge himself in an error, but to support his practice if possible, he stopped until the fever was over, and then, like the famous physician of Validolid, he wrote a book; that book to which this pamphlet is so largely indebted, and which produced an effect precisely the contrary of the one intended. Men

him prosecute himself; for, though Dr. Currie wrote and published the condemnation, the great "Hippocrates" re-published it; and, according to the decisions of the courts of Pennsylvania, the *re-publisher* is the *greatest offender*. When Rush wrote his *Account of the Yellow Fever of 1793*, he was, as the saying is, upon his high horse. He had been so flattered by a set of mean parasites, of various professions, that he really began to think there was no other physician in the world worthy of the least attention. Hence he had the audacity to despise, or to affect to despise, the opinion of Dr. Currie, and was thus led to introduce into his own work, and to assist in giving circulation to, the severest sentence that ever was passed on his discovery. He seemed not to recollect that Dr. Currie was a member of the College of Physicians, and that his opinion might have far more weight than his own. He verified, however (but certainly without intending it), the maxim laid down in his book; for, as if to prove to his readers that for every *evil* Providence had provided a counteracting *good*, he sent out his own *poison* accompanied with the *antidote* of Currie.—Poor Rush has overshot himself oftener, perhaps, than any other man in existence.

could

could not be persuaded, even by the smooth tongue of Rush, that bleeding *almost to death* was likely to save life.

When, therefore, the yellow fever again broke out in 1797, "Hippocrates" and his pupils (who were the only persons that followed the practice) found very little to do. The "saving Angel" recommenced writing in the newspapers, but with somewhat less confidence and more caution than formerly. He did not (except in a few instances) address himself *directly* to his "dear fellow citizens," but published letters, sent to him by his brethren of the lancet practice, giving accounts of the great cures wrought by bleeding and mercurial purges.— Sometimes a letter from Rush to some other of the learned tribe would appear, preceded by a letter requesting information respecting his mode of practice. On these occasions the Discoverer seldom failed to expatiate largely on the virtues of his remedies, and on the success of their application, always taking care to throw in a due portion of compliment to the skill of his correspondent, and of tender solicitude for the welfare of his "dear countrymen" and "dear fellow citizens." These systematic endeavours for reviving the practice were carried to such a shameless length, that there sometimes appeared in print letters written to, and answers received from, physicians dwelling in the same city of Philadelphia, men with whom Rush was most intimate, and with whom he conversed, probably, ten times a day. What necessity was there for such men *to write* to each other? What could they write for, but the express purpose of publishing their letters in the papers? And what object could they have in view, in these indirect addresses to the public, but that of extolling their own practice, of advancing

vancing their own fame, and increasing their own profits ?

These tricks did not, however, pass unperceived. Many gentlemen of Philadelphia (not physicians) expressed to me their dread of the practice, and their indignation at the arts that were made use of to render it prevalent. They thought, and not without reason, that it was lawful, just, and fair, to employ a newspaper in decrying what other newspapers had been employed to extol. In fact, I wanted very little persuasion to induce me to endeavour to prevent a revival of that which I had always looked upon as a scourge to the city, in 1793, and which now, I was fully persuaded, menaced the lives of my friends, my neighbours, my workmen, my customers, and, in short, of the people in general amongst whom I dwelt. Every thing seemed to threaten a return of the former consternation and calamity. The chariot* of the mighty "Hippocrates," began again to rattle along the lanes and alleys; the sect of "undisciplined practitioners" were again taking the field; the Rev. Negroes had tucked up the sleeves of their gaberdine, were preparing to draw the lancet and throw away the scabbard. Purge and bleed! purge and bleed! re-

* Left the English, or any other, reader should attach the *English* signification to this word, and imagine that Rush really keeps a *chariot*, I must observe, that the thing I allude to is a queer looking hutch, big enough to hold only one man. It has glass doors and windows, it is drawn by one horse, and has an elevated box, from which a negro fellow lashes his poor four-legged fellow citizen. Just after the 5000 dollar decision, the Rushites published a triumphal caricature, representing Rush with the above equipage, driving over a Porcupine, and squeezing out of its throat great quantities of *blood* and dollars. A New-Yorker, seeing this picture, unaccompanied with any explanation, mistook it for a representation of *the chariot of death, driven by the devil!*

founded

founded through the half-deserted city, while the responsive howlings of the dogs “gave dreadful “note of preparation!”

Frigid indeed must have been my feelings, or cowardly must have been my heart, if, with a public print, such as I held in my hand, I had, in a scene like this, remained a silent spectator. Far was it from me to think of a course so dishonourable. I thought I saw approaching all the horrors of 1793, and both my interest and my duty commanded me to endeavour to avert them*.

For writing *medical* essays; for controverting *scientifically* the wild positions of Rush and his adherents, I acknowledged myself then, as I do now, totally unqualified. To the charges of ignorance in medicine brought against me by the great Hippocrates, I might, indeed, have found a triumphant reply in his own book on the Yellow Fever; I might have produced himself as a witness against himself; I might have quoted the passages, where he asserts, that the success of the two negroes, in curing the Yellow Fever, was “unparalleled by “what was called regular practice;” that a hundred things are taught in the common schools, less useful, “and many things more difficult than the “knowledge that would be necessary to cure a Yellow Fever, or the plague;” and that “all the “knowledge necessary to discover when blood-let-

* Moses Levi, one of Rush's lawyers, had the charity to suggest, that I, being a *royalist*, might possibly have hoped, by discrediting the Doctor's practice, to increase the mortality amongst the *republicans*! Such a diabolical thought never could have been engendered but in the mind of a Jew! But honest Mosey seemed to have forgotten that I could not possibly want to kill *myself*. I cannot for my life, however, muster up any thing like anger against a poor devil like Moses; he did not believe a word that he said; he vash vorking for de monish, dat vash all.

“ting is proper, *might be taught to a boy or girl of twelve years old in a few hours!* I taught it,” adds he, “*in less time to several persons during our late epidemic!*”—“It is time,” exclaims he in another place, “to take the cure of pestilential fevers *out of the hands of physicians, and to place it in the hands of the people!*”—I might have shown that he very highly applauded the conduct of the Popish Priest, who exhorted the *other* physicians “to renounce the pride of science, and *adopt the new remedies* *.”—I might, in short, have proved most satisfactorily, that, according to the written assertions of this impudent innovator, I was duly and amply qualified to approve of, or to condemn, any mode of treating the yellow fever; and, indeed, had I been fool or knave enough to join his troop of Mock-Doctors, I could probably have talked very learnedly about “*bleeding as white as Jersey veal,*” about “*washing the guts,*” and “*shaking the gall-bladder;*” nay, it is possible, that I could have equalled even the Pennsylvanian “Hippocrates” in that butcher-like dialect, which is so admirably calculated to vulgarize the medical profession, and to brutalize the human frame; but I felt no inclination to imitate, in any way whatever, the “undisciplined sect of practitioners,” and, therefore, while I admitted the sober refutations of those medical gentlemen, who thought Rush worth their notice, I confined myself to squibs, puns, epigrams,

* Rush says, however, that this infatuated quackish divine *died* in this same Yellow Fever.—Fielding, in order to give us an adequate idea of the extreme confusion experienced by one of his characters, says it was as great “as that of a quack must be, if “in the midst of a declamation on the great virtues of his powers, the corps of one of his martyrs should be brought forth, “and deposited before the stage as a testimony of his skill;” but, even Fielding never supposed a case, wherein the corps of a quack himself should be brought forth, in the like way, and for a similar purpose!

and quotations from Gil Blas *. In this *petite guerre* I had an excellent auxiliary in Mr. Fenno, jun. or rather, Fenno was the principal and I the auxiliary. Never was a paper war carried on with greater activity and perseverance, or crowned with more complete success. It began about the middle of September, and before October was nearly ended, the system of depletion was the standing jest of the town. Rush suppressed his mortification for a good while; he seemed to say that it was beneath a great physician, and a member of the *learned* philosophical society of Philadelphia, to be ruffled at what a couple of low newsmongers could say; but, at last, having been coupled, in a ludicrous way, with his dear friend Samuel Coats, a quaker philanthropist, brother Broadbrim and he, after a *secret attempt* (which I shall mention by and by) had been made to silence our presses †, laid their heads together, and “sent for a sinful man in the flesh, called “an Attorney, to prepare a parchment, and carry “us unto judgment ‡”.

(To be continued.)

* The pleaders of Rush asserted, that my attacks were confined to the *man* and not to his *practice*; this, though the Jury affected to believe it, was *notoriously* false. It was *always* the practice and *never* the man, that I assailed. They asserted besides, that I never attempted a refutation of the *errors* of the practice, this was also notoriously false; for if the puns and squibs were to be ascribed to *me*, so were all those excellent medical essays which appeared in my paper, and for a specimen of which I refer the reader to the article in the present number, entitled, “The Ignorance of the Pennsylvanian Hippocrates exposed.”

† This *attempt* should be mentioned here, but as it forms the first link of the chain of facts, which ends in the famous 5000 dollar verdict, I shall reserve it for the next Number; requesting the reader, in the mean time, to suspend his curiosity, for that any thing his imagination can conceive will fall greatly short of what I have to relate.

‡ The defence of my publications (a little better one than Mr. Harper made) cannot come into this Number for want of room, certain anecdotes, lately received, respecting Dewees and Co. having made a considerable addition to it.

A BITTER PILL FOR THE RUSHITES.

IN the last Number of Porcupine's Gazette, I observed that it was somewhat singular (and it really was so) that, on the 14th of December, on the same day, and in the very *same hour*, that a ruinous fine was imposed on me for endeavouring to put a stop to the practice of Rush, General Washington was expiring under the operation of *that very practice*. "While a fowler," says the fable, "was shooting at a ring dove, an adder stung him in the leg. The poison immediately infected his blood, and his whole body began to mortify; which, when he perceived, he could not help owning it to be just.—'Fate,' says he, 'has brought destruction upon me, while I was contriving the death of another.'" Whether the Philadelphians look upon the loss of General Washington as a mortal blow to America, and, if they do, whether they will have the candour to make an acknowledgment similar to that of the fowler, are points that I pretend not to determine. Indeed, I doubt not, that, in order to keep themselves in countenance, they will deny that any other treatment would have saved the General. I dare say they will deny that he was not treated according to the practice of their "Hippocrates." But, whatever the silly Philadelphians may believe, or pretend to believe, on this subject, I beg that other people will observe, and remember it well, that General Washington was not only treated precisely according to the famous *System of Depletion*, but that *Dr. Dick*, one of the physicians, was a *pupil of Rush*. Thus much by way of preface to the opinion of one of the most skilful physicians in America,

America, the learned and experienced *Dr. Brickell* of Savannah.

Observations on the medical Treatment of General Washington, in his last Illness; addressed to his Physicians Messrs. Craik and Dick.

The life of this illustrious personage has been so eminently beneficial and ornamental to the world, that every man who has a just value for virtue, talents, or an attachment to civil liberty, must lament his death.

The loss to his country, at this critical period, is incalculable; it is irreparable: we shall never look upon his like again!

I have perused the account published by his physicians, of their medical treatment, and differ from them so entirely in my opinion of its propriety, that, with all due respect for their good intentions, I think it my duty to point out what appears to me a most fatal error in their plan: and although it is not in the power of science to restore his precious life, yet a discussion of this case may be productive of benefit to mankind.

I suppose myself addressing men of science, whose minds are so highly cultivated, as to comprehend my reasoning on this subject; which I shall make as short and clear as possible.

When we examine the human blood by optical glasses, by chemistry, and by experimental philosophy, we find it full of nourishment in young people; but effete and poor in the aged.

When we examine by anatomical injections, the state of the vascular system, we find innumerable ramifications in the arteries through which the blood flows freely in young people; while many of their anastomoses are obliterated in the aged.

The blood of old people, therefore, being poorer, and the channel for conveying its nourishment fewer, is the reason that old people cannot bear bleeding so well as the young, and it likewise explains (what every man of science and experience must know) why a small bleeding has the same effect on an aged person, that a large bleeding has upon the young and robust.

These observations, founded on well-established facts, demonstrate how guarded and circumspect we ought to be in the use of the lancet, when our patient is far advanced in life; and how actively we ought to employ our thoughts in devising other methods than profuse blood-letting in such a case.

From

From what the physicians have published, and other documents, we have data sufficient to ascertain how far the maxims derivable from science, experience, and judgment, have governed in the present instance.

The duration of this illness was 20 hours; from 3, A. M. till after 10, P. M.

A bleeder being sent for at the unusual hour of 3, A. M. we may suppose the operation was not performed until four o'clock; before eleven hours elapsed, he was bled again twice profusely, which must have been about eighteen ounces each time; and soon afterwards he was bled again to the amount of thirty-two ounces.

Thus we see, by their own statement, that they drew from a man in the sixty-ninth year of his age, the enormous quantity of eighty-two ounces, or above two quarts and an half of blood in about thirteen hours.

Very few of the most robust young men in the world could survive such a loss of blood; but the body of an aged person must be so exhausted, and all his powers so weakened by it, as to make his death speedy and inevitable.

Here the effect followed the cause precisely: the physicians soon observed the powers of life yielding; a loss of speech; and that he expired without a struggle! The excessive bleeding *had left him no strength to struggle!!*

After what has been said, it may be expected that I should point out my plan:—I will speak generally, without descending to criticise on the minor parts of the treatment, which, however, I do not admire.

They ought to have attacked the disease as near its seat as possible: the vein under the tongue might have been opened; the tonsils might have been scarified; the scarificator and cup might have been applied on or near the thyroid cartilage. One ounce of blood drawn in this way would relieve more than a quart drawn from the arm, and would not exhaust and enfeeble the body; in the same manner that an ounce of blood drawn at the temple, relieves an inflamed eye more than a quart drawn from the arm.

The neck might have been rubbed with warm laudanum and camphor, and a bag of warm fine salt laid on; but the unseasonable application of a blister would prevent this.

He ought to have been put into one, two, or three flannels; and instead of calomel, it would have been better to give him
small

small draughts of hot whey, with a little laudanum, camphor, spirituous volatilis aromaticus, or spiritus nitri dulcis, occasionally, to remove the spasm which caused the dyspnea, and produce perspiration, which would relieve the lungs by turning the course of the fluids towards the skin.

JOHN BRICKELL.

Savannah, 23d Jan. 1800.

A NOTE TO DOCTOR DICK.

Doctor,

I HAVE lately seen an account of the delivery of an eulogium on General Washington, at Alexandria, and I could not help applauding the discernment of those who chose *you* for the eulogist; no man could be so fit to describe the life, as he who had so ably described the death of that great man. The art of making eulogiums, as well as that of producing subjects for them, you learnt, I suppose, from your preceptor, the Pennsylvanian "Hippocrates?" But, were you not humming us, Doctor, when you endeavoured to persuade us, that *Fate* had some hand in the *fatal* work at Mount Vernon? You say, in your report, that the General was "*fully impressed at the beginning of his complaint, as well as through every succeeding stage of it, that its conclusion would be mortal*"; submitting "*to the several exertions made for his recovery rather as a duty, than from any expectation of their efficacy. He considered the operation of death upon his system as coeval with the disease*"; and "*several hours before his decease, after repeated efforts to be understood, succeeded in expressing a desire, that he might be permitted to die without interruption.*" Would not this have sounded better from the mouth of a believer in the second fight,

fight, than from a disciple of "Hippocrates?"—
Pray, Sir, read the letter of Dr. Brickell, and I believe you will suspect that poor *Fate* had much less to do in the business than *you and your colleagues*.

P. PORCUPINE.

P. S. Don't you think it would be a good thing, Doctor, if the names and places of abode of all *Rush's pupils* were published? If you don't, I do; and I hereby request those who are possessed of information on the subject to communicate it to me, *post-paid*.

THE IGNORANCE OF THE PENNSYLVANIAN HIPPOCRATES EXPOSED.

IN the former part of this number of the *Rush-Light*, where mention is made of the opinion of *Rush*, respecting the cause of the *spontaneous hæmorrhage*, the reader will find himself referred to the present article.

Rush says, in his Account of the Yellow Fever of 1793, page 275, "As a proof that I *did not draw one ounce of blood too much*, it will only be necessary to add, that hæmorrhages frequently occurred *after* a third, a fourth, and, in one instance, *after* a sixth bleeding had been used."—During the Yellow Fever of 1797, and just about the time, that the 5000 dollar action was commenced against me, an underling of *Rush*, named *Caldwell*, published a letter to me, wherein he repeats the opinion of his preceptor, and uses the same argument in favour of copious bleeding. To this publication a Scotch physician, who was travelling through the United States, and who happened

pened to be then at Philadelphia, made the following reply, by which the reader will be fully convinced, that the spontaneous hæmorrhage, in place of being *prevented*, is *produced*, by copious bleeding, and that Rush's proof of the *efficacy* of his remedy, is, on the contrary, a proof of its *mortal effects*.

TO THE EDITOR OF PORCUPINE'S GAZETTE.

Sir,

In the list of misfortunes brought upon the city of Philadelphia by the prevailing epidemic, must be included the degradation of its medical character. Previous to the appearance of this formidable disease, the physicians of Philadelphia were esteemed the most eminent on the continent of America; they have since sunk from that state of exaltation to a condition bordering on contempt, in consequence of the rash practice and absurd publications of some of their body, and the injudicious silence of others. I do not mean to say, that every silly paper should have received a regular answer: arguments evidently contemptible refute themselves. But it sometimes happens, that arguments sufficiently specious to impose upon readers of sound understanding, who are unacquainted with the nature of the animal economy, are brought forward for the purpose of supporting a very dangerous practice. In such a case it is the duty of professional men, who are better informed, to expose the fallacy of such reasoning, that the dangerous tendency of the doctrines attempted to be established by it may be distinctly perceived.

These observations are meant to apply particularly to an argument which has been triumphantly employed by the Phlebotomists, both in writing and conversation, and very ostentatiously displayed by Dr. Caldwell, in his letter addressed to you, dated the 10th of October.

It is confidently asserted, that the spontaneous hæmorrhages, which frequently occur in malignant fevers, are solely occasioned by the omission of copious blood-letting; and as these excessive hæmorrhages appear in many cases to be the immediate cause of the death of the patient, we are told this fatal termination would have been prevented, if blood had been freely drawn at any preceding period of the disease.

This reasoning is so specious, that, in the minds of all those readers who are unacquainted with the anatomy and pathology

of the human blood, it must be decisive. They will be fully convinced that large and repeated bleedings must be the most effectual method of cure, in diseases where the blood is so superabundant as to burst spontaneously from the vessels; and the shafts of your ridicule will be directed in vain against a practice, apparently founded upon so firm a basis.

To detect the fallacy of this reasoning, it will be necessary critically to examine the facts upon which it is founded, and then to make a few observations upon the conclusions that have been drawn by the Phlebotomists, from those facts, in support of a practice replete with danger.

If those who employ this reasoning mean, that, provided the vessels be completely drained of their blood, there will be no risk of spontaneous hæmorrhage, we admit the truth of the observation. For conjurors tell us, where nothing is, nothing can come out; and it hardly requires a man to be a conjuror to give us that information. But, if they mean to say, such a quantity of blood, as may be drawn without producing a dangerous degree of debility in the patient, being taken away in the early part of the disease, or at any time preceding the spontaneous hæmorrhage, will prevent that hæmorrhage from taking place, it follows, that it is caused by the vascular system being overloaded, inasmuch that the increased action of the vessels bursts a passage for the superabundant blood, and nature does too late what ought to have been earlier performed by the doctor. Hence it follows, that spontaneous hæmorrhages, in malignant diseases, must be most likely to occur when the vessels are fullest, and the vascular action most violent.

But is this really the case? Does spontaneous hæmorrhage most frequently occur at the commencement of malignant diseases, when the vessels are fullest, and the action most violent; or, at their close, when the vessels are comparatively empty, and the vigour of the system exhausted?

Let us inquire what happens in a very formidable disease, the *Causus* of Hippocrates, better known at Philadelphia by a much-dreaded name, the Yellow Fever of the West Indies. This complaint commences with a febrile state of excessive ardour and violence, which continues generally from sixty to eighty hours, when the symptoms of violent action rather suddenly cease, and extreme debility marks the remainder of the disease.

I will ask Dr. Caldwell, and those who think as he does, whether, agreeably to their system, spontaneous hæmorrhages ought not more frequently to occur at the commencement, during the
ardent

ardent state of this disease, when the vessels are fullest, than during the quiescent state, when the vigour of the system is exhausted, and the mere abstraction of food and waste by natural evacuations (supposing artificial ones to have been refrained from), must have reduced the vessels to a state of comparative emptiness? As men of candour, they must answer in the affirmative.

I will then ask them whether spontaneous hæmorrhage really happens oftener in the commencement than the close of the Yellow Fever? As men of veracity, they must answer in the negative; nay, as men solicitous for the detection of error and the establishment of truth, they will go farther in their answer than is required by my question. They will admit, that, in every case of Yellow Fever, they have seen, heard, or read of, in which this symptom has occurred, it has never appeared but in the last stage, or quiescent state. We must therefore cease to look for its explanation in the superabundance of blood, and fix our attention upon what appears to be its proximate cause, the extreme debility which prevails at the time of its occurrence.

That excessive weakness alone is sufficient to account for spontaneous hæmorrhage, will be completely proved by observing the frequency of its occurrence in a disease of pure debility, where there is no febrile action, and where, from the situation of those subject to the disorder at and preceding the commencement of it, there can be no reason to suspect fulness of the vascular system.—I allude to the sea-scurvy. This complaint afflicts not only seamen in long voyages, who are obliged to subsist on aliment, the nutritive quality of which has been diminished by time and the mode of preservation, but it also aggravates the miseries of winter to the poorer inhabitants of northern climates.

Among the symptoms of this shocking disease, none are so formidable as spontaneous hæmorrhages; they are apt to occur upon the slightest motion: sometimes the bleeding is external, sometimes internal, and frequently fatal. So slowly does death advance, from any other cause, in this disease, that should the wretched patient be so fortunate as to escape hæmorrhage, he may linger out a miserable existence, till the conclusion of the voyage, or the approach of summer enables him to procure sustenance more nutritious; and the danger of spontaneous hæmorrhage is removed by his returning strength, though accompanied by increased fulness of the blood-vessels.

The blood does not escape, in these diseases, in consequence of violent action in the moving powers, or from any distension of the vascular system by the quantity contained, but from inability in the extreme vessels to resist the slightest impulse.

As I have shown the cause of the symptom, on which the strong argument of the Phlebotomists is founded, to have been misunderstood, it can hardly be necessary to say the conclusion they have drawn must be erroneous. Dr. Caldwell says, "In the occurrence of this spontaneous hæmorrhage nature undoubtedly gives an obvious hint which all physicians should have discernment and sagacity sufficient to improve. She would seem to tell them in the language of facts, that, if they either through ignorance or inattention neglect the evacuation of blood-letting entirely, or use the lancet in a manner not sufficiently bold, she must and will by means of this discharge make a final effort for the safety of the patient herself: it is, however, to be greatly lamented that she makes this effort in vain." Adopting the idea of Dr. Caldwell, that nature is the physician's kind directress, her hint may be explained more consistently with facts, by saying she intends by her conduct to caution the physician against bleeding in this disease, particularly at a late period, by showing that it is always prejudicial, often fatal. But this idea of *Vis Medicatrix Naturæ*, a power existing in the animal body capable of reflecting upon the nature of diseases, and adopting the most rational method of cure, in which she kindly instructs attentive physicians, is too ridiculous for serious argument, and can only be intended *ad captandum vulgus*. Sound philosophy rejects with contempt such visionary notions.

Before I conclude this paper, Mr. Editor, it may be necessary (to prevent mistakes respecting the author) to say a little of what I am, and something of what I am not. I am a stranger, unacquainted with the physicians of Philadelphia, and no ways interested in the success of parties or individuals. I am not a Phlebotomist of the school of Sangrado, nor am I an Anti-Phlebotomist: for though I think it improper to bleed my patients in Yellow Fever without measure and without mercy, yet I have met with many cases in which, from the constitution of the patient and degree of the fever, I have thought it right to draw blood in moderation at an early stage. I must therefore be considered an impartial observer, whatever may be thought of the soundness of my opinions; and, if my sentiments appear to be inimical to the practice of the Phlebotomists, it cannot fairly be imputed to personal prejudice or partiality towards any of the individuals of either party, but must be attributed to a full conviction, in my own mind, that the extreme to which the Phlebotomists recommend their favourite remedy to be employed, is dangerous to their patients and discreditable to themselves. z.

REPUBLICAN LOAVES AND FISHES.

LETTER DEDICATORY.

To his Excellency Thomas McKean, Esq. Governor of the Commonwealth of Pennsylvania, Doctor of Laws, &c. &c. &c.

Dear Doctor,

THOUGH I thought it prudent to remove to New York, before you began to purge the State, which is now become your patient, I have not been an unconcerned spectator of your operations: having left under your power many friends whom I loved most sincerely, it was as natural for me to turn now and then towards Pennsylvania, as it was for the affectionate Orpheus to look back towards hell. I have seen, in your conduct, many things to censure, and many to applaud. Of the former, because I know it would be disagreeable to you, I shall, at present, say nothing; and, of the latter, want of time will prevent my saying much. I cannot, however, delay, even for a moment, to congratulate you on your *removals* and *appointments*, which, whether we consider them as to the *persons*, the *number*, the *time*, or the *mode*, reflect great credit on your discernment and your prudence. Your appointment of Shippen to the post of Chief Justice, the *time* of that appointment*, and your retaining his son-in-law, Burd, in a lucrative office

* Shippen was kept in suspense, till after he had confirmed the infamous verdict against me, and then he was immediately appointed! So much for *elective* Kings; but I have pretty tales to tell about them in future numbers.

held

*held at your pleasure**, are so many proofs of your deep penetration, and they clearly evince, that, though you cannot be, at one and the same time, Governor and Chief Judge, you are not entirely unmindful of what may come to pass in the administration of justice! Your enemies do, indeed, accuse you of having driven from office a great many fine old revolutionary Whigs, who were serving in the field while you were living snugly in Philadelphia; but, these people do not, as you say, seem to recollect, that, if you did not use a sword or a musket, you were *far from being idle*; they do not consider, that, while they were, probably, only driving off or killing the cattle of Tories, you were laying the iron hands of the law on the estates and the lives of the Tories themselves! For *these services* you were applauded by the very men, who *now* accuse you of *oppression*, because you have turned them out of place! When any one of them shall, in future, complain of your injustice, and shall dispute your pretensions on the score of revolutionary services, step from your chair of state, and thunder in his ear, with a voice as loud and terrific as the last trumpet, "Remember ROBERTS and CARLISLE†!!!"

But, your enemies, not content with the censure above mentioned, have drawn an invidious comparison between your conduct and that of your "*patriotic predecessor*," as they are pleased to call

* By keeping Burd in his office of Prothonotary of the Supreme Court (an office much more lucrative than that of Judge in Pennsylvania), the tyrant M'Kean not only keeps the Chief Justice in subjection, but commands such jury-lists as suit himself on all important occasions.

† Two loyal Quakers whom this M'Kean condemned to death, during that revolution, of which he was the bloody Fouquier Tinville. He was, by the Whigs, applauded for that deed; and now he is punishing those very Whigs. The justice of Heaven does not sleep for ever!

him.

him. Mifflin might be *patriotic* enough for aught I know; but people seem to have forgotten that he had his friends to serve, and that he served them too, as will appear from the following paper. You have, I believe, Dr. M'Kean, frequently blamed *me* for handling the character of Mifflin so roughly; you called it *slander*; what then will you think of the article I am now going to lay before you? This article is of republican origin; it was handed me for publication (though I never published it) by Tom Bradford, who, to the best of my recollection, told me it was written by one of the *Rushes*. This article will be valuable to you on many accounts, but particularly as a proof of your only having trodden in the steps of your predecessor with respect to removals from office; it will be valuable to the people of other countries, as a proof of the super-excellence of republican chiefs and republican governments; and it will serve to reconcile the malcontents to your measures, by convincing them, that from the "glorious 1776" to this day, from the quarrel between you and *Old Hopkinson*, about a post in his Majesty's custom-house to the present squabbles amongst the county clerks and recorders, the great object of patriotic contention ever has been, **THE LOAVES AND FISHES.**

" Reasons why the people of Pennsylvania ought not to re-elect Thomas Mifflin to the office of Governor.

1st Reason.—His Excellency is openly abandoned to *lewdness and debauchery*.

2d. He is addicted to the low and illiberal vice of *swearing*; and upon a very noted occasion, outraged the feelings of decency and religion, by publicly profaning the name of the Deity in the most shocking manner.

3d. His

3d. His public conversation at his own table, surrounded by company, is frequently so *vulgar, obscene, and scandalous*, as to exceed description and almost belief.

4th. He makes a practice of breaking the *Sabbath*, by giving entertainments upon that day, at the Falls of Schuylkill, and permitting fishermen to ply with their nets in the river, directly in his view, contrary to the laws of God and man, and to the great injury of the morals of the people.

5th. He insults the religion and laws of his country by his entire neglect of the public worship of the Deity, and by his example induces others to do so.

6th. During his administration of near five years, two as President of the State, and almost three as Governor, he hath never instituted a day of thanksgiving for the innumerable blessings bestowed by the bounty of Heaven, nor a day of fasting on account of the sins of the people, and the alarming growth of luxury, infidelity, and vice of every kind.

N. B. This has been usually done by all good Governors, as by the late Governor Patterfon, of New Jersey, and others.

7th. He has in repeated instances broke his *word*, and violated the most solemn *promises and engagements*.—*The following facts are sufficient to show that this seventh reason is well founded.*

1st. He actually *swore*, or solemnly *declared*, he would never commission *Mr. Daniel Montgomery*, of Northumberland, a Justice of the Peace; notwithstanding this, a few weeks ago, he sent him a commission to act in that capacity.

2d. In like manner he *swore*, or solemnly *declared*, he would not commission *Mr. Matthias Richards*, of Bucks county; but he has since made him a Justice of the Peace.

3d. Upon

3d. Upon application to the Governor by John Hoge, Esq. of Washington county (now a member of the Senate), to request he would not supersede *Mr. Scott*, the Prothonotary of that county, he informed Mr. Hoge, he would consider the matter; when at the very time of his saying so he knew that he had signed a commission for Mr. Reddick, as the successor of Mr. Scott, and that this commission had been sent forward a few days before.

4th. Previous to his being elected Governor, he frequently declared he would not displace any person, without specific charges and proof against him, and soon after his election, upon application to supersede James Hanna, Esq. the Register of Wills for Bucks county, he not only refused, but expressed a fixed resolution of not turning any person out of office, unless charges were made and properly supported. Notwithstanding these declarations and solemn engagements, he did, soon after his election, remove from their offices the following persons, viz. *Mr. Scott*, *Charles Biddle*, Esq. Judge Atlee, Judge Rush, Caleb Davis, Esq. the Prothonotary of Chester county, John Chrest, Esq. the Register and Recorder of Berks county, and James Jecks, Esq. the Register of Lancaster county; against any of whom it is believed not a single charge was ever made, or proof given in support of it. Certain it is, they were never heard in their defence, nor had an opportunity of refuting the charges, if any were really made: after such public and notorious professions were repeatedly made, the news of their being displaced must have astonished them like a violent clap of thunder when not a cloud could be seen.

N. B. There is reason to assert that at the very time of his making the above declaration respecting James Hanna, Esq. he had gone so far as to give assurances to several persons that he would displace both Judge Atlee and Judge Rush.

5th. He solemnly promised Collenon Read, Esq. of Reading, that if a vacancy should happen in the county of Berks, he would appoint his father; a respectable old gentleman, who had once held the office of Prothonotary in that county, and has relinquished it only to serve his country in a more important station—I say, he not only made

the promise above mentioned, but upon Mr. Read's observing, that it would be proper for his father (who then lived in that city) to remove to Berks county, that he might qualify himself to hold an office by a year's residence; he replied, there was no necessity for it; he would appoint him without his residing a year in the county. Notwithstanding all this, upon the death of the late *Prothonotary*, he refused to appoint *Mr. Read's father*, and assigned as the reason his *not having resided* a year in the county. Other instances under this 7th general reason can be brought forward—but let these suffice.

8th. He commissioned *David Harris, Esq.* one of the associate Judges of Dauphine county, though he had not been “a citizen and inhabitant of the county *one year before his appointment*,” which he knew was required by the *constitution* he hath sworn to execute.

9th. He kept *Jacob Bower* and *John Chrest, Esq.* of Berks county, dancing attendance upon him in this city, about two weeks, giving to each of them alternate expectation and assurance, that he should have the office of *Register* and *Recorder* of Berks; and finally told them they must go together and settle the matter themselves. This irresolution, and these expressions, produced a sale of the office, from *Mr. Chrest* the former owner, to *Mr. Bower* the present possessor, for the sum of 200*l.* payable in four years at 50*l.* a year.

10th. So much intoxicated was he by the success of his election, and so eager to display his power, that he forgot all regard to public decency, and to the memory of the late *Judge Bryan*, by nominating (though not actually commissionating) a successor in the office, not only before the body was interred, but immediately after his *death* was announced by *Dr. Hutcheson*.

Such indecency in transacting public business, such disrespectful treatment of the *remains* of an old and faithful servant of his country, would be only aggravated by,

11th. The character of the person who was thus hastily appointed in his stead, viz. *Judge Shippen*. This gentleman,

man, disaffected to his country during the late struggle for liberty, had remained in this city with the British army, is the father-in-law of *General Arnold*, and paid his respects to *General Howe* to congratulate him on his arrival in this city.

The cause of freedom and virtue had surely been enough insulted, when he was made President of the Court of Common Pleas of the city and county of Philadelphia. But our Governor thought otherwise; and therefore raised him to the highest seat of judicial authority in the state.

12th. He hath not only promoted the disaffected, but in the instance of *Judge Rush* he displaced a staunch friend and supporter of the *Revolution*, to make way for a character of a very different description, viz. *Mr. Yates*, of Lancaster. There is nothing like this to be found in the conduct of the President of the United States. It is one thing to bring forward persons unfriendly to the principles of the *Revolution*, and quite a different thing to dismiss the well-affected to make way for them. *General Washington* never removed a Whig from office, and advanced a Tory in his room. It is therefore ridiculous to compare the conduct of the Governor of this state with that of the President. Happy would it be for Pennsylvania if their characters were more alike. Darkness and light are not more at variance.

13th Reason.—In an *arbitrary* and *tyrannical* manner he superseded Judges *Atlee* and *Rush* as judges of the supreme court, and still more cruelly and tyrannically compelled them into inferior stations; making thereby a wanton and merciless attack upon their feelings, their reputation, and their fortunes. In the histories even of Russia and Turkey, it would be impracticable to find an instance of power exerted in a manner so perfectly savage and despotic, accompanied at the same time with circumstances of such peculiar *treachery*. See this perfidy in the 5th reason under the 7th general head.—He who commits a single deliberate act of *tyranny*, is as completely a *tyrant* as the *man* who commits a single deliberate act of *stealing* is a *thief*. It is the disposition that is seen in both cases.

14th Reason.---The wrathful and vindictive passions of the *man* influence his conduct as a *public officer*. Under this head I shall mention two or three facts that are well known to be true.

1. Soon after his election a recommendation in behalf of *Joseph Magoffin, Esq.* as a justice of the peace in the Southern Liberties, being presented to him, he instantly declared, with the utmost *violence of language*, he never would appoint him; *for he had opposed him at his election*. N. B. We have never yet heard of the *Governor's* breaking *this promise*; probably because the offence of exercising the right vested in *Mr. Magoffin* by the constitution, of voting for and supporting his antagonist, is an unpardonable one in his opinion.

2. *Dr. John Otto*, of Reading, was a justice of the peace previous to the election of the *Governor*, and very highly esteemed for the spirited execution of his office. It so happened, some years ago, that a collector of taxes lodged a list of delinquents in the hands of the Doctor to be collected agreeably to law. In this list was the name of *Thomas Miffin, Esq.* who was accordingly notified of it by a polite message from the justice, and upon whom he waited soon after, with every appearance of being much *disturbed and agitated*.

Dr. Otto was never commissioned as a justice of the peace after the election of the present *Governor*.

3. *Mr. Scott*, of Washington, having made use of some expressions that were supposed to be offensive, the power of the *Governor* was employed as the means to execute the last resentment of the private individual.

The judge who from the bench pronounces an unjust judgment, and perverts the law to gratify the malice of his heart, violates his duty and oath. Nor can that Governor be deemed guilty of a less crime, who, availing himself of the power his station gives him, wickedly prostitutes it to the ruin of a worthy officer, for no other reason than because the officer may have affronted him or injured his feelings as a man.

15th. The appointment of a person who signs his name *A. J. Dallas*, to the important post of secretary of the commonwealth; the indecency of which is too glaring to need comment, especially as his behaviour has always justified any sentiment originally entertained respecting the measure. That there were other persons equally qualified for this office nobody can doubt; but it was naturally supposed, with manners more congenial, an exotic secretary would be more devoted. Accordingly we now see him desperately engaged, under the signature of *Atticus*, in an attempt to defend what no other person in his senses can possibly think defensible. Were it not that *this Man* is secretary, I flatter myself there would not be found one solitary writer in Pennsylvania abandoned enough to take up his pen, to vindicate the still more abandoned character and conduct of its present chief magistrate *."

Here ended the paper; but to all these reasons, why Mifflin ought not to be re-elected Governor, Bradford might himself have added one, and a very weighty one too, to wit—*because his brother wanted the post!*—Loaves and fishes again!

We see, too, that the displacing of *Rush's brother*, the Judge, forms the principal article of accusation against Mifflin. If Judge Rush had been promoted to the bench of the Supreme Court, if Tom Bradford had not been deprived of a lucrative branch of printing business by the Governor, and if, at the same time, William Bradford (brother of Tom, and a relation of Rush) had not felt a call to

* English Republicans, what do you think of the *representative system* now? Compare this Mifflin to the *Penns* who ruled this state in the days of the *Monarchy*.

Notwithstanding the above fifteen reasons, and fifteen hundred others that might have been added, the profligate Mifflin was re-elected by the sovereign people. Does this prove the good effects of what is called *equal representation*? Could *Old Sarum*, or even *Old Nick*, have chosen a worse man than this?—Answer me these questions, you who clamour for parliamentary reform.

supply the place of Mifflin, this poor fellow would have been a "saving angel," instead of a devil incarnate.

Those who have been constant readers of my writings, will recollect that I never inserted the above republican communication either in my pamphlets or my paper. As to the *facts* against Mifflin, they were all true, but the *motives* from which they were communicated to me, were such as prevented my making use of them, though frequently urged to do it. Tom Bradford owed great obligations to both Mifflin and Dallas, and much as I disliked these men, my mind revolted at the idea of becoming the cat's-paw of his mean underhand revenge.

After Bradford had settled with me for the *one shilling and seven-pence halfpenny*, the neat proceeds of one of my pamphlets, he sent his son Samuel, the present Editor of the paper called the "*True American*," to wheedle me out of the above communication; but whatever other faults I may have, that of *letting go my hold* is not one. I told the "*True American*," that it would be of no use to his father, that more of the same grist might easily be gotten at the same mill, and that this little sample might serve me, should a surfeit of liberty send me back to the "insular Bastile," as a triumphant proof of the excellence of republican governments and republican morals. Thus I should, probably, never have used it otherwise than to amuse my children, when in my old age I should have been describing to them the storm I encountered while they were in the cradle; but as the Philadelphians have charged *me* with calumniating their great men, as they have laid on me the monstrous, the ruinous fine of 5000 dollars, and as this very "*True American*" Bradford has published their charge against me,

me, and even *justified their verdict*; as this is the case, I trust I shall be excused for troubling the world with what would, otherwise, have been confined to my own chimney-corner.

A HINT TO SAMUEL COATS.

COATS, you are one of my bitterest persecutors; you were one of the advisers of the prosecution against me; you shook me by the hand and smiled in my face at Bustleton, while you were daily back-biting me at Abingdon. Your nephew was one of the 5000 dollar jury; you applauded the attempt to ruin me, and the reason you give is, that I am a *calumniator*, and that it is time to put a stop to *calumny*.—Now, Coats, hear me. I will show, in another Number of this work, what *Saint Coats* can do in the *calumniating way*; and, if you will take my advice, you will, in the mean time, prepare yourself a lodging in the famous mansion of which you are the manager*.

* To obviate any misconception of the expressions I may make use of in speaking of this Quaker, I now declare, once for all, that I highly respect the Quakers *in general*. I believe that this sect has, in Pennsylvania, a greater proportion of truly honest and benevolent men than any other sect, and I know, that though it contains some most malicious hypocrites, it also contains some of the kindest and most sincere of human beings.

THE PHILADELPHIAN HORNET'S NEST.

MY first taper gave light into the nest, and, when the last advices came away, the *Hornets* were pouring out upon the spectators. The sovereign people of Philadelphia (whom, by the by, I begin to forgive) have, it seems, had rare sport. They have found the Rush-Light as productive of strange fights as a magic-lantern, and have, of course, run after it in crowds.

Very different, however, have been the speculations of the Rushites: they have been plotting vengeance, and, as it generally happens to them, they have failed.

On Friday last one of them published, in the paper of those two base wretches, *Brown* and *Relf*, the following most infamous libel against me.

" COMMUNICATION.

" Mr. Cobbett has asserted, both in his farewell Gazette, and in
 " a late advertisement, that all his property in this city has been
 " taken in execution and sacrificed at public vendue, at the suit
 " of Dr. Rush: *this is not so*; not an article belonging to him
 " has been sold at this suit; but, it is a fact, notwithstanding his
 " many boasts of punctuality in the discharge of his debts, that
 " all his goods found in this city were seized by the executors of his
 " landlord for house-rent disgracefully left unpaid by him; and it is
 " also a fact, that the whole amount of the sales arising there-
 " from, has not been sufficient to satisfy that claim.

" Any one questioning the truth of this statement, is referred
 " to the Sheriff's Office, where it will be seen, that all the monies
 " raised by execution, does not exceed the sum of *three hundred*
 " *and thirty dollars.*"

The reader will remember, perhaps, that I stated in my last newspaper, that they had seized, belonging to me, and sold for *about four hundred dollars*, what should have brought, at least, about a thousand. He will now please to read a statement made to the above communication, by Mr. John Morgan, of Philadelphia, and, when he has read it, let him say if the hottest hell be not too cool for the author and publishers of the article to which it is a reply.

" Messrs. BROWN and SELF,

" You will please to insert the following statement of facts in
" answer to a *communication*, which appeared in your paper of
" Friday last, and oblige

" Your humble servant,

" *Monday Evening, March 3.*

JOHN MORGAN."

When Mr. Cobbett was about leaving this city for New York, I undertook to receive the monies which were to be collected for him by Mr. Douglas; and to sell at public auction some goods that were left at his house. On or about December the 14th, the articles were advertised for sale by Mr. Connolly, the auctioneer. The morning intended for the sale, Douglas attended, and having placed some of the goods before the door, was waiting for the auctioneer, when the Under-sheriff made his appearance, and seized the goods, by virtue of an execution, *for the benefit of Dr. Benjamin Rush*. While the officers were taking an inventory of them, I was sent for; as soon as I saw what was going forward, I thought proper to wait on Messrs. Elmslie and Bacon, executors of the estate of John Oldden, deceased, and *requested them to attach the goods*, as they had an undoubted right, as a security in part for the rent that was due. *This they declined doing, unless I would write to Mr. Cobbett, and inform him that they did it at my particular request.* I consented to write as they desired, when they brought a constable, and took an inventory of what was on the premises. What arrangement took place between them and the Sheriff I am not clear in; but it is certain that the goods were afterwards sold by the Sheriff, *by virtue of Rush's execution*, although the proceeds were paid to the executors, after deducting the costs of suit, the commission, and other incidental expenses; which would have been improper, had they not been sold by virtue of the abovesaid execution.

When Mr. Elmslie waited on the Sheriff for the proceeds of the sales, the latter refused to pay for more than the arrears of three months, although there was more than five months rent
NO. II. N due,

due, until he had taken the advice of Mr. Lewis, *attorney for Dr. Rush*. The attorney advised to pay the balance of the proceeds after deducting the costs of execution, &c. The monies which Mr. Elmslie received were first two hundred and fifty dollars; then sixty-four dollars: those two sums added to costs of suit, commission, advertising, and other incidental expenses, amount to the sum Mr. Cobbet mentioned in his advertisement as the total of the sales.

By this brief statement the candid reader will see that the goods were sold *by virtue of Rush's execution*; that the executors of John Oldden declined having any thing to do with the business, until I had satisfied them that any censure which might arise from it should attach to me; and that they were not uneasy about the payment of the rent.

JOHN MORGAN.

This statement, which is as clear as the head, and as true as the heart of the man who signs it, leaves me very little to say as to the falsehood or the malice of my enemies. I must, however, observe, for the information of those who may not have seen my farewell Gazette, that, when I came from Philadelphia, I left about 2500 dollars to collect, and about 800 dollars to pay; that my house-rent, which would have been paid long enough before if we could have ascertained the day of giving up the house, was to be paid the moment that day arrived. Before it did arrive, however, Rush obtained his famous judgment, and made a seizure, as Mr. Morgan has related. That Mr. Elmslie was under no apprehensions the reader will clearly perceive; for, *after* he had heard of the ruinous 5000 dollar verdict; *after* he knew that the judgment against me was sent on to New York; nay, *after* he saw the sheriff in the house, such was his confidence in my honesty, and such was his delicacy towards me, that he would not even *then* have exercised the right of a landlord, had he not been pressed to do it *for my sake*. Not only did he require to be solicited, by Mr. Morgan, to put in his prior claim, but he, at last, consented to do it, only upon condition that

Mr.

Mr. Morgan would write to me, and inform me that he (*Elmslie*) did it at Mr. Morgan's particular request. Would Mr. Elmslie have had these scruples if he had suspected my honesty? Would he have been thus delicate, thus fearful of hurting my feelings, if I had left my "house-rent **DISGRACEFULLY** "unpaid?"

But, says the reader, who is the infamous slanderer? Tell me who he is, that I may hate him! And, can you be at a loss to know him? After what you have read in these two Numbers, can you imagine that such base revenge could ever be conceived by any one but a **RUSH**? It was *Richard Rush*, the self-same lawyer, who, in order to support the honour of his profession and his dram-shop family, came on express to New York with the 5000 dollar judgment; it was one of the "nice-
"feeling generous sons" of the most unoffending and "most benevolent" Dr. Rush.

The malignant slanderers were astonished when they saw Mr. Morgan's statement. They thought that Mr. Elmslie, seeing the vile work that was going forward, had, like a prudent man, stepped in and laid claim to my goods. Sure, in their own minds, that this was the case, they thought that the falsehood they had hatched could never be completely refuted. Little did they imagine, that Mr. Elmslie had made the seizure at my agent's request, and to oblige me; when, therefore, they saw this, they were alarmed, they were confounded, and blasted. Ever as mean as malicious, they now retracted, and the poor cat's-paw Richard Rush went to Mr. Morgan, and read a recantation, which he published in Brown and Reel's paper of the next evening, and which I would here insert, were it

not beneath me to offer, in defence of my character, any thing from the vile hand of a *Rush*.

Thus, you see, reader, that my enemies have fallen into their own pit, and that, at every struggle, they plunge themselves deeper and deeper in disgrace.—When I saw my friend Morgan's defence of my reputation, and particularly when the next newspaper brought me the proofs of his triumph, I could not help exulting, in the words of King David: “ Let
“ them be ashamed and brought to confusion to-
“ gether, that rejoice at mine hurt; and let them
“ shout for joy, and be glad, that favour my
“ righteous cause !”

POSTSCRIPT.

Rush's lawyers told the philanthropic jury, that, if they assessed but moderate damages, the decision would tend to discourage men from appealing to the law again, and that the city would be *disturbed and disgraced* by quarrels and fighting; but that, if they made me “ *a blighted picture of ruin,*” they would *prevent personal violence*. The philanthropic jury listened to the advice, and certainly did their best to make me “ a blighted picture of ruin;” but their verdict, so far from having had a tendency to promote peace and good neighbourhood, has set all Philadelphia in an uproar. The first Number of the *Rush-Light* has produced several quarrels, two assaults, and two or three fresh prosecutions! “ That's true,” says the philanthropic jury, “ but it is your *Rush-Light*, Peter, and not our verdict, that has made the mischief. It is not *our* fault that you write.” No, ye precious dozen, it assuredly is not! It is not your fault that I am not in gaol, and that my wife and children are not begging
their

their bread from door to door! No, no, it is not your fault that I have either the spirit or the means to write and to publish; but it is your fault that I have the blood-stirring *subject* to write upon. Thus much by way of hint to you *.

TO JAMES M'HENRY, SECRETARY AT WAR.

Sir,

ON Saturday, the 8th instant, a man, calling himself *Capt. Still*, belonging to the Artillery, stationed at Fort Jay, came to my house, to call me to account, on the part of Lieut. Rush, about a passage in the first Number of the Rush-Light. He was armed "*à-la-mode de Rush*;" to wit, with a *bludgeon-cane*, which, as it had an *iron poker* to encounter, remained quiet in his hand; and so the noble Captain marched off without beat of drum.

* I intend to accompany the Number in which I close the account of the prosecution, with lists of this philanthropic jury, printed on large cards, that they may be nailed up over chimney-pieces, and in other conspicuous places. But, lest he who reads this Number should never read another, I shall just insert the names here, to wit:

John Paxton, hardwareman, No. 10, South Third-street; *Wm. Jolly*, ironmonger, No. 11, Arch-street; *Joseph S. Lewis* (nephew of Samuel Coats), merchant, No. 25, Dock-street; *Isaac Austin*, watchmaker, No. 7, Arch-street; *Tho. W. Armat*, shopkeeper, No. 21, North Second-street; *George Thompson*, shopkeeper, No. 129, North Third-street; *Jacob Sperry, jun.* looking-glassman, No. 195, Market-street; *John Taggart*, merchant, No. 5 and 11, North Water-street; *Wm. Roberts*, house-carpenter, No. 136, Chestnut-street; *Archibald Bingham*, shopkeeper, No. 32, North Second-street; *Jacob Rees*, shopkeeper, No. 151, North Third-street; *Benjamin F. Garrigues*, grocer, No. 118, South Second-street.

I do

I do not address this to you, Sir, by way of *complaint*; for I am prepared for *defence* against unlawful violence of any and of every sort. But, Sir, notwithstanding all the ingratitude and injustice I have met with, I am still a friend to America; I still feel a sincere attachment to the federal Government, and it is from my anxious desire to see the measures of that Government prevented from becoming odious in the eyes of all descriptions of people, that I take the liberty to give you the above information. Be assured, Sir, that men will not long be content to pay taxes for the support of bullies to come and interfere with their business, insult them in their houses, and terrify their wives and their children.

Far be it from me to insinuate, that conduct, in the military, such as I have described, ever was approved of by the Government, and I feel a confidence, Sir, that, for the honour of the Army itself, it will, in the present instance, meet with marked disapprobation.

I am, Sir, with the greatest respect,

Your most humble and obedient servant,

New York,
March 10, 1800.

W. COBBETT.

THE
Rush-Light.

==
No. III.
==

March 15, 1800.

*A Defence of the Publications on which the Action of
Rush was grounded.*

“Hear ye my defence, which I now make unto you.”

ACTS, c. xxii. v. 1.

THAT a low-bred fellow, like *Rush*, whom the troubled motions of rebellion * had brought bubbling up from the mud of society; that a fellow, who had extolled his drugs in newspapers, pamphlets, and books, without number, and who had, in these various publications, not only ridiculed, decried, and abused both the practice and the persons of the first medical gentlemen in the country, but had contemptuously placed them beneath his

* He was a member of the old *Rump* Congress.

herd of "undisciplined practitioners," his auctioneers, his negroes, and his old women; that such a mushroom being, such a notorious despoiler of the medical character, should have the assurance to appeal to the law, the moment his own practice was assailed, would have excited universal indignation amongst any people but the poor, tame, trodden-down citizens of Philadelphia, and must appear totally unaccountable to every foreign reader, till I have, by and by, explained the circumstances under which the action was commenced, and under which it was foreseen it would, first or last, be decided*.

The

* Rush was advised by *Ingersol*, one of his lawyers, to drop this suit; but the meek, the kind, the unoffending, the benevolent Rush, knew better things: and this is a proper place to give a striking instance or two of the dissimulation of this man. As to *war*, he always pretended to be a Quaker, till he had a son big enough to ask a commission for! See his silly plan of what he calls a *Peace-Office* of the United States. But an instance of insincerity, more to my present purpose, is to be found in his canting address to the clergy, where he says: "*Law-suits* should be discouraged as much as possible. It is with inexpressible pleasure that I have lately seen an account of a recommendation from the Presbyterian synod to the churches under their care, to settle all disputes after the manner of the primitive Christians and the *Friends*," [a slobber for the Quakers,] "by arbitration. Blessed event in the history of mankind! May their practice spread amongst all sects of Christians, and may it prove a prelude of that happy time foretold in scripture, when *war* and murder shall be no more." There he is again! That's the canting Rush! But, when his professions are brought to the test, when he is urged to put them in practice, he laughs at those who were foolish enough to think him sincere. He could not find words to express his pleasure at hearing that the synod had protested against law-suits, but he could not be persuaded, even by his confidential lawyer, to forbear going to law himself. The truth is, Rush is notorious for the litigiousness of his disposition; and there are few men, even amongst the spiteful and wrangling crew that he is connected with, who have brought so many actions, who have been so often in the court, as himself. Observe, too, that this meek-minded moralist, who, in conjunction with his Quaker friends,

The commencing of the action proves, however, that the practice of the impudent innovator had received a mortal blow; it proves that the publications, for which I was sued, were *efficacious*: and, that they were *not unlawful*, I trust, notwithstanding the decision of a Philadelphian court and jury, I shall find but little difficulty in making appear to the satisfaction of every man who is not an idiot or a prostituted knave.

In making this defence, I shall suppose myself in the court, and having heard the evidence and the pleadings, replying to the whole that was urged against me. As I shall use the words, "*Gentlemen of the Jury*," I beg leave to premise, that the word *gentlemen* will be admitted, on this occasion, for form's sake only.

Gentlemen of the Jury,

I rise to defend a man, remarkable for his frankness, against the underhand machinations of hypocrisy; I rise to defend, against a charge of slander, a man who has been slandered without measure and without mercy; I rise to defend an honest, loyal, and public-spirited Briton against the false and calumnious suggestions of private malice, political prejudice, and national antipathy.

I should degrade the character of the defendant by comparing it with that of *Dr. Rush*, or by submitting it to *your* investigation. To the malignant aspersions of Hopkinson, Levi, and Ingersol, I shall,

friends, has been constantly hatching some *peace-making* project; observe, I say, that this love-seeking saint, who feels such yearnings, such gripings and bowel-hankerings for "the *blessed time*" when *war* and *law-suits* shall be *no more*," has, out of two sons, made shift to fabricate a *lieutenant* and a *lawyer*!!

therefore, make no reply; but shall confine myself to the subject with which alone you have, on this occasion, any thing to do.

Mr. Cobbett stands charged with having, during the prevalence of the yellow fever of 1797, published certain false and malicious slanders against Dr. Rush. The *printing* and *publishing* the defendant would rather cut his hand off than disown, but the *falsehood* and *malice* imputed to him he utterly denies.

Much might be said as to the extent of the words cited in the declaration. It would, I believe, be very difficult to make out such an application as would, according to the strict letter of the law, establish any one of the charges preferred by the plaintiff; but the defendant scorns to take shelter under a subterfuge: it is for his enemies to have recourse to the perversion of the law. He is proud to acknowledge, that all the censorious expressions, which he is, on this occasion, accused of having published, were not only published by him, but were pointed at Dr. Benjamin Rush; and, moreover, that they were not only pointed at Rush, but were so pointed for the express purpose of destroying his practice, so far as that practice corresponded with the well-known and justly-abhorred System of Depletion.

Neither will I distract your minds (which, God knows, are by nature sufficiently confused) by controverting the unfair constructions of the opposite counsel. I shall admit most of the meanings which they have attributed to the words of the defendant, and those which I do not admit, I shall clearly prove not to exist.

The

The defendant stands charged,

1. With calling Dr. Rush a *vain boaster*.
2. With calling him a *quack*.
3. With calling him *Sangrado*.
4. With saying that he *slew his patients*.

By the lawyers, on both sides, the *Constitutions of America*, and the rights and advantages thereby conferred and insured, have been much harped upon, as if the liberty of the press were become the greater in consequence of the revolution; but all these rights and advantages, however valuable they may be in the eyes of a sovereign people, the defendant in this action most cheerfully foregoes. He asks for no other privilege, no other security for his person and his property, than that which will arise from a fair interpretation and a due execution of the *Common Law*; that law under the shielding branches of which he was born and nursed up to manhood, which was planted here by the benignant hand of his sovereign, and which, though buffeted by many a storm, and bearing the mark of many an axe at its roots, still stands its ground, and still shelters the inhabitants of these States from the uplifted stroke of republican despotism. This is the law to which Mr. Cobbett appeals in his defence; and, happily for the country, this law is yet the only code to which, in this case, either party can appeal.

Not to hamper you with a firing of definitions and nice distinctions, I shall observe, generally, that to justify a jury in awarding damages, on any charge of slander, they must be clearly convinced of four things; to wit: 1. that the defendant uttered or published the words laid to his charge; 2. that those words were meant to apply to the plaintiff; 3. that the words are false; and, 4. that they were
uttered

uttered or published with a malicious or criminal intent.

The publishing of the words laid in the declaration, and their application to the plaintiff, the defendant most readily avows; but, if I can prove to you (or if you *already know of yourselves*), that the words are *true*, and that the defendant did no more than fulfil his *duty* in publishing them, you ought well to remember your oaths before you give damages to the plaintiff.

I shall examine the charges in the order in which they stand. 1. *The defendant has called Dr. Rush A VAIN BOASTER.* I aver this to be *true*, and prove it by Rush's own publications, respecting his practice in 1793. On the 12th of September he published in all the papers, that, *with his new-discovered remedies*, there was no more danger to be apprehended from the yellow fever, than from the measles or influenza. On the 17th of the same month, he wrote to the College of Physicians, that *his discovery*, as far as it went, reduced the yellow fever, in point of danger and mortality, to a level with a common cold. On the 3d of October he wrote to Dr. Rogers at New York (publishing his letter, as well as that to the College, in the newspapers), declaring, that *he had been made the instrument in the hands of a kind Providence of curing MORE than ninety-nine patients out of a hundred.* This was certainly *boasting*, and that it was *vain boasting* is notorious; for, at the very time that he wrote and published these *boastings*, his remedies were making dreadful havoc; from the date of the first, the 12th of September, to that of the 3d, wherein he brags of curing *more than ninety-nine out of a hundred*, the daily bills of mortality rose from 23 to 78! And, just after the last-mentioned most impudent
boast

boast was made, *four* patients out of *six* died in his own house !

Upon your oaths now I ask you, is this fellow a *vain boaster*, or is he not ?

2. The defendant called Dr. Rush a *quack*.—And here, in order to make out the justification, it would be my duty to examine the meaning of the term ; but the good-natured advocates of the bleeding Doctor have kindly saved me that trouble : they have most unfortunately taken the definition of Addison, and have stated a quack to be, “ *a boastful pretender to physic ; one who proclaims his own medical abilities and nostrums in public places.*”

Now, then, let us see, whether or not the Doctor's conduct brings him up to this definition.

During the whole of the fever of 1793, and from that time to the fever of 1797, he made no scruple to declare, that none of the physicians, who did not follow his practice, ought to be trusted with the life of a patient. His lectures abound with his insolent pretensions to superiority in medicine. Notorious is it that he has, all his life, been a proclaimer of his own medical abilities ; but to come to something more specific ; on the 12th of September 1793, he published the following advertisement :

“ DOCTOR RUSH,

“ Regretting that he is unable to comply with all the
 “ calls of his fellow-citizens indisposed with the prevail-
 “ ing fever, recommends to them to take *his mercurial*
 “ *purges*, which may now be had with suitable directions at
 “ most of the apothecaries, and to lose ten or twelve ounces
 “ of blood as soon as convenient after taking the purges, if
 “ the headache and fever continue.—When the purges do
 “ not

“ not operate speedily, bleeding may now be used before
 “ they are taken. *The almost universal success with which it*
 “ *has pleased God to bless the remedies of strong mercurial*
 “ *purges and bleeding in this disorder,* enables Dr. Rush to
 “ assure his fellow-citizens that there is no more danger to
 “ be apprehended from it *when these remedies* have been
 “ used in its early stage, than there is from the measles or
 “ influenza.---Dr. Rush assures his fellow-citizens farther,
 “ that the risk from visiting and attending the sick *at pre-*
 “ *sent,* is not greater than from walking the streets. While
 “ the disease was so generally mortal, *or the successful mode*
 “ *of treating it only partially adopted,* he advised his friends
 “ to leave the city; *at present* he conceives this advice un-
 “ necessary, not only because the disease is under the power
 “ of medicine, but because the citizens who now wish to
 “ fly into the country cannot avoid carrying the infection
 “ with them; they had better remain near to *medical aid,*
 “ and avoid exciting the infection into action.”

“ Near to *medical aid;*” that is, near to *him.*—
 It was safer to remain near him, though in the midst
 of pestilence, than be near any other physician,
 though in the sweet air of the country! This Ad-
 vertisement is assuredly the most impudent that ever
 was published; no Leicester-square quack ever
 equaled it. At the very time that Rush had the
 impudence thus to tell the people, that there was no
 longer any danger, *if they used his remedies;* at the
 very time that he was thus advising them not to
 leave the city, but *to remain near to medical aid;* at
 the very time that he was *blessing God for the almost*
universal success of his remedies; the bills of mortality
 were daily increasing in a dreadful degree. On the
 day before the above advertisement appeared, the
 number of deaths was *twenty three;* and from that
 day they began to increase, and they went on in-
 creasing, until, at the end of one month after the
 infallible remedies had been in vogue, they had
 arisen from *twenty-three* to *one hundred and nineteen.*

But

But it is the *quackish* language of the Advertisement which is at present the object of our examination. It is absolutely impossible to read the Doctor's puff without observing the strict resemblance that it bears to what the Cockneys call the "Doctor's Bills." The defendant has compared Rush's puffs to the puff of *Spilsbury*; and this has been made a charge against him. But hear Dr. Spilsbury, and then say, if you can, that the comparison is not just.

"We congratulate our fellow-creatures, in having it in their power to get relieved from the most unpleasant complaints incident to human nature, such as the scurvy, gout, rheumatism, evil, ulcers, and other disorders arising from *impurities of the blood*, indigestion, &c. by taking *Spilsbury's Antiscorbutic Drops*, a medicine well known upwards of twenty-six years for having performed more extraordinary cures than any other ever invented, and whose repute has reached the remotest corners of the universe, every nation bearing grateful testimony of its eminent virtues: how happy therefore is it for the inhabitants of this island, that they can supply themselves with a medicine which, should they travel to any part of the globe, will secure them from the fatal consequences that too often attend the above complaints."

The defendant has called this a puff *equal* to Dr. Rush's, and if there be any *untruth* in his words, it is because *Spilsbury's* puff is *inferior* to that of Rush; for surpass it, it certainly does not.

Still, however, clearly to establish the *quackery*, the man must not only boast about his medical abilities and the virtue of his nostrums, but he must do this in *public places*. That Rush's boastings were heard in all the streets of Philadelphia is notorious, and it is also notorious, that the above boasting Advertisement, as well as several others of a like nature, were published in all the *newspapers*. It is

notorious that they were besides printed on hand-bills, given away in the apothecaries' shops, handed about the streets, and stuck upon the walls, houses, and public pumps !

Is not this man " a boastful pretender to physic, " one who proclaims his own medical abilities and " nostrums in *public places* ?" And, if this be quackery, I ask you upon your consciences, if you have any, whether Rush is or is not a *quack* * ?

3. Mr. Cobbett is charged with calling Dr. Rush *Sangrado*.—To call a man *Sangrado* is nothing; but, Gentlemen, you have been told by the *learned* Harper and the more *learned* Ingersol, who, it would seem, have both studied Gil Blas, " that this *Sangrado* was a *quack* damned to everlasting fame," and that, therefore, to call Dr. Rush *Sangrado*, is to call him a *quack*. Were this correct, the charge would be already answered, but it is not so. Poor

* The Advertisements of the *retailers* of his nostrum must not be forgotten.

" Dr. Rush's *celebrated* mercurial purging and sweating powders for preventing and curing the prevailing putrid fever, may be had carefully prepared, *with proper directions*, at Betton and Harrisons, No. 10, South Second-street."

" Dr. Rush's mercurial sweating purge for the yellow fever, may be had carefully prepared, *with the Doctor's directions*, and sold by William Delany, druggist and chemist, &c."

" Dr. Rush's mercurial sweating powder for the yellow fever, with *printed directions*, prepared and sold by *permission*, by Goldthwait and Baldwin, chemists and druggists, &c."

Now, reader, if you had met with these advertisements in a newspaper, without having any previous knowledge of the parties concerned, should you not have set this Rush down for a potent quack ? I am sure you would.

Sangrado

Sangrado was, according to the definition of Rush's advocates, no quack ; for he did not " proclaim " his own medical abilities and nostrums in public " places ;" and, therefore, the word Sangrado, as applied to Rush, was no slander.

But, Gentlemen of the Jury, the defendant is a candid satirist ; he will, in no case, seek for safety under the leeward side of the law. Whether the word Sangrado be slanderous or not, he will allow you to assess damages against him for the application of it, if he cannot prove to you that that application was *just*.

Eminent men are frequently called by the names of other eminent men, who have lived in former times, or in other nations. It is a figure of rhetoric, which every one is at liberty to make use of. Thus, *Tom Paine* is called the *Wat Tyler* of the present age ; *Franklin* is called the *Zanga* of Boston ; and *Dr. Rush* is called the *American Sangrado*. All that a writer has to do, to justify, either in a court of criticism or a court of law, the use of such a figure, is, to prove that the great man, whom he has designated by the name of another, bears such a resemblance to that other as the tenour of the words does evidently imply.

What sort of resemblance, then, do Mr. Cobbett's words imply between Dr. Rush and Dr. Sangrado ? Do they tend to produce a belief that the American resembles the Spaniard in his *person*, in his *general character*, or in his *medical opinions, practice, and fame* ? Most assuredly the resemblance was meant to exist in the latter respect only ; for Dr. Sangrado is described as " a tall, meagre, pale man, " who had kept the shears of Clotho employed " during forty years at least, and who was, in spite

“ of all his *vanity* and *presumption*, a downright
“ *ninny**.”

It being evident, then, that the defendant meant a resemblance in the medical opinions, practice, and fame of these two celebrated physicians, it only remains for me to prove to you, Gentlemen, that the words, expressing such a resemblance, were founded in *truth*. Here are the two pictures; examine them yourselves.

DOCTOR SANGRADO.

(*Extracts from Gil Blas.*)

1. “ His opinions were
“ *extremely singular.*”

2. “ Sangrado sent me for
“ a surgeon, whom he or-
“ dered to take from my
“ master *six good porringers*
“ *of blood!* When this was
“ done he ordered the sur-
“ geon to return in three
“ hours and take *as much*
“ *more*, and to repeat the
“ same evacuation the next
“ day!”

3. “ This bleeding, San-
“ grado said, was *to supply*
“ *the want of perspiration.*
“ So

DOCTOR RUSH.

1. *Singularity of opinion*,
in every thing, is his boast:
for instance, his plan of a
peace-office to supply the place
of a *war-office*; and his tak-
ing the cure of diseases out
of the hands of *physicians* to
put it into those of the people.

2. “ I bled my patients
“ twice, and a few *three times*
“ *a-day!* I preferred frequent
“ and small, to large bleed-
“ ings in the beginning of
“ September; but towards
“ the height and close of
“ the epidemic, I saw no in-
“ convenience from the loss
“ of a *pint*, and even *twenty*
“ *ounces of blood at a time!*”

RUSH ON YEL. FEB. 93.

3. “ From the influence of
“ early purging and *bleeding*
“ in *promoting sweat* in the
“ yellow

* If Rush had fitten for this picture, it could not have been drawn more like him.

DR. SANGRADO.

"So when I came to practice, says Gil Blas, being asked by an old woman what was the matter with her daughter, I told her, with great gravity, that the illness proceeded from the patient's want of perspiration, and that, of consequence, she must be speedily bled, *that evacuation being the only substitute for perspiration.*"

4. "Not bleed in a drop-sy!" said he: "the patient in a drop-sy should be bled every day."

5. "Sangrado said, It is a gross error, Master Martin Onez, to think that blood is necessary for the preservation of life: a patient cannot be bled too much!"

6. "Dr. Sangrado said to me, I have a regard for thee, Gil Blas [a foot-boy], and will immediately disclose to thee the whole extent of that salutary art which I have professed for so many years. Other physicians make this consist in the knowledge of a thousand different sciences; but

DR. RUSH.

"yellow fever, there can be little doubt, but the efforts of nature to unload the system in the plague through the pores, might be accelerated by the use of the same remedies. A profuse sweat cannot fail of wasting many pounds of the fluids of the body. To correspond in quantity with the discharge from the skin, blood-letting should be copious."

RUSH ON YEL. FEV.

4. Rush has frequently astounded the physicians of Philadelphia by recommending bleeding in the drop-sy.

5. "You should bleed your patients almost to death, at least to fainting." This is an extract which Rush gives from a letter of poor old Shippen, and calls it "the triumph of reason over the formalities of medicine."

6. Dr. Rush says: "Al. the knowledge that is necessary to discover when blood-letting is proper, might be taught to a boy or girl of twelve years old, in a few hours. I taught it in less time to several persons [the two negroes for instance] during the prevalence of our late epidemic."

DR. SANGRADO.

“ but I intend to go a shorter
 “ way to work, and spare
 “ thee the trouble of study-
 “ ing pharmacy, anatomy,
 “ botany, and phyfic. Know,
 “ my friend, all that is re-
 “ quired is to *bleed* the pa-
 “ tients, and make them
 “ drink warm water. This
 “ is the secret of curing all
 “ the distempers incident to
 “ man. Yes! that wonder-
 “ ful secret which I reveal to
 “ thee, and which nature,
 “ impenetrable to my bre-
 “ thren, hath not been able
 “ to hide from my researches,
 “ is contained in these two
 “ points, of plentiful bleed-
 “ ing and frequent draughts
 “ of water. I have nothing
 “ more to impart; thou
 “ knowest phyfic to the very
 “ bottom.”

7. “ I have *published* a
 “ *book*, said Sangrado, in
 “ which I have extolled the
 “ use of bleeding, and would
 “ you have me decry my own
 “ work? Oh, no! replied I,
 “ you must not give your
 “ enemies such a triumph
 “ over you: it would ruin
 “ your reputation: perish
 “ rather the nobility, clergy,
 “ and people!”

8. “ My

DR. RUSH.

“ demic.--We teach a hun-
 “ dred things in our schools
 “ less useful, and many
 “ things more difficult, than
 “ the knowledge that would
 “ be necessary to cure a yel-
 “ low fever or the plague.--
 “ For a long while the ele-
 “ ments themselves were
 “ dealt out by physicians
 “ with a sparing hand. They
 “ possessed a monopoly of
 “ many artificial remedies;
 “ but a new order of things is
 “ rising in medicine as well
 “ as in government. The
 “ time must and will come,
 “ when the general use of ca-
 “ lomel, jalap, and the lan-
 “ cet, shall be considered
 “ amongst the most essential
 “ articles of the knowledge
 “ and rights of man.”

7. Rush also has *published*
 a *book*, and in that book he
 has said: “ I was part of a
 “ little circle of physicians,
 “ who had *associated* them-
 “ selves in *support* of the *new*
 “ *remedies*. --- This circle
 “ would have been broken
 “ by my quitting the city.
 “ Under these circumstances
 “ it pleased God to enable
 “ me to reply to one of the
 “ letters that urged my re-
 “ treat from the city, that I
 “ had resolved to *stick* to my
 “ *principles*, my *practice*, and
 “ my patients, *to the last ex-*
 “ *tremity!*” 8. “ Look

DR. SANGRADO.

8. " My master had recourse to physicians, and sent for Dr. Sangrado, whom all Valadolid looked upon as another Hippocrates."

DR. RUSH.

8. " Look at the conduct of Dr. Rush," said pleader Hopkinson, " and say if it did not resemble that of Hippocrates."

Now, Gentlemen, what think you of the resemblance? Dr. Sangrado is a man of *singular opinions*; so is Dr. Rush. Dr. Sangrado draws blood, *porringer after porringer*; Dr. Rush, *pint after pint*. Dr. Sangrado employs copious bleedings to *supply the want of perspiration*; so does Dr. Rush. They both recommend *bleeding in the dropsy*. Dr. Sangrado says that it is a gross error to think *that blood is necessary to the preservation of life*; Dr. Rush calls it the triumph of *reason* to prescribe *bleeding almost to death*. Dr. Sangrado sends a *footboy, a lacquey*, to bleed and drench the citizens of Valadolid; Dr. Rush qualifies *negroes and old women* to bleed and purge those of Philadelphia. Dr. Sangrado has written a book; so has Dr. Rush; and they both resolve to *stick to their principles and practice to the last extremity*. Dr. Sangrado is called, by his contemporaries, the *Hippocrates of Spain*; Dr. Rush's contemporaries call him the *Hippocrates of Pennsylvania*.—The only shade of difference is in their practice; the American employs doses of mercury and jalap, while the Spaniard contents himself with draughts of warm water; and, I believe, you will confess, that the latter is, at least, as innocent as the former.

But, Gentlemen of the Jury, there needed no such laboured comparison, to prove to you that the name of Sangrado was fairly applicable to the plaintiff. You know, Gentlemen, that Dr. Rush

has erected his *bleeding system* upon the opinions of *Botallus*, a French physician, whose name he mentions with great applause in page 330 of his Account of the Yellow Fever. This *Botallus* endeavoured to introduce the practice of *excessive bleeding*, which was condemned by the Faculty of Medicine at Paris; and you well know, that the practice of his American follower was honoured with something very much like condemnation by the College of Physicians at Philadelphia. But the most curious fact is, that Le Sage introduced the character of *Sangrado* into the novel of Gil Blas for the express purpose of ridiculing this very *Botallus*! I have carefully examined the biography of Le Sage, and I can nowhere find that he was sued or prosecuted by bleeder *Botallus*; so that the master in blood must have been of a more meek and forbearing disposition than the disciple, or the liberty of the press, in the "dark ages," under a French monarch, must have been greater than it is, even in "these enlightened days," under the sovereign people of America.

The fourth and last charge preferred against the defendant is, *that he has said, that Dr. Rush SLEW HIS PATIENTS.* The passage from Porcupine's Gazette, on which this charge is founded, runs thus: "Dr. Rush, in that emphatical style which is peculiar to himself, calls mercury the *Sampson* of medicine. In his hands, and in those of his partisans, it may, indeed, be compared to Sampson; for I verily believe, they have slain more Americans with it, than ever Sampson slew of the Philistines. The Israelite slew his thousands, but the Rushites have slain their tens of thousands."

The pleaders for Rush have told you, that this is accusing him of *murder*. How unfair this construction is; what a shameful perversion it is of the defendant's

defendant's meaning, must be evident to every man of common understanding *. I can hardly believe that it can ever be the duty of advocates to *lie* in this impudent manner (for wilful misconstruction is lying), and, when they do, I am certain that jurors ought not to give any weight to what they say; much less ought they to *affect* to look upon such barefaced falsehoods as truths. Jurors should recollect, that they are sworn to decide according to the conviction which is produced in their own minds; and when they do not act up to the spirit of this oath, they will in vain seek for a justification in the *assertions* from the bar, or even from the bench.

Unwilling to trust to *one interpretation* of the words on which this charge is founded, the Rushite counsel have asserted, 1. That these words accuse Dr. Rush of *killing people with deadly weapons*; and, 2. That they accuse him of *killing people with his physic*.—I shall consider them separately.

Take the passage above quoted from Porcupine's Gazette, strip it of its figurative quality, insist upon its being literally understood, make it positive instead of doubtful, and then cut it up into simple sentences, considering each as having been made use of detached from all the rest; after having thus strained, twisted, garbled, and gutted the writing of the defendant, I will allow, that something like an accusation of *killing people with deadly weapons* may be made out. But it is not thus that a man's words are to be treated; his person and estate are not to be brought into jeopardy by such miserable

* Shameful as the perversion was, however, we shall see, by and by, that the *Judge* gave into it, and actually told the Jury that I had accused the Doctor of *murdering* his patients, though the word *murder* was not to be found in any of the expressions laid in the declaration.

pettifogging interpretations : pitiful, indeed, would be the liberty of speech and of the press, were every sentence liable to a judicial criticism of this sort. No, no ; the *Common Law of England* (which, as I observed before, is, in this case, the law of America) encourages no such uncandid, no such litigious proceeding. That law, I had almost said that *holy law*, which is the result of the researches of wisdom actuated by the spirit of justice ; that law, which, while it has clad *good* character in a coat of mail, has thrown a shield before the body of the critic, the satirist, and the public censor ; that law tells you, that the words, on which an action of slander is grounded, shall be understood neither in their *best sense* nor their *worst sense*, but “ that the words “ shall be taken in the same sense as they would “ be understood by those who hear or read them, “ and for that purpose all the words ought to be “ taken together.”—See *Buller's Nisi Prius*, p. 4.

Now, Gentlemen of the Jury, casting behind you the base misconstructions by which you have been led astray, and taking the law for your guide, go once more over the words of Mr. Cobbett. “ Dr. “ Rush,” says he, “ in that emphatical style which “ is peculiar to himself, calls mercury the Sampson “ of medicine. In his hands, and in those of his “ partisans, it may, indeed, be justly compared to “ Sampson ; for I verily *believe* that they have “ slain more Americans with it, than ever Sampson “ slew of the Philistines. The Israelite slew his “ thousands, but the Rushites have slain their tens “ of thousands.”

What, on your oaths I ask you, do you, upon hearing these words, understand the writer to mean ? Should you, had you read this passage in a foreign newspaper, have concluded that this Dr. Rush was
in

in the habit of *killing people with deadly weapons*? No, no, Gentlemen; you would have drawn no such conclusion! you would have thought he was a man, who, with his disciples, followed a very bold and dangerous system of medicine, and you would have thought nothing more. You would have looked upon him as a deceived, an ignorant, and, perhaps, an obstinate man; but you would have attached to his actions no idea of *criminality*; and I beg you to observe well, that it is for accusing him with *criminal killing* that you are, on this count of the declaration, called upon to give a verdict against the defendant: should you comply with the request, the future fate of *your* characters need not be foretold.

But, Gentlemen, I will, for a moment, suppose the words to imply *killing with deadly weapons*, and even upon that supposition, I maintain that they are not actionable; and, of course, that they ought to make nothing against the defendant.

In the first place, they are too indefinite with respect to the persons: Dr. Rush is confounded with a numerous class, called the Rushites; and the persons killed are neither named nor described. The law is extremely scrupulous on these points, and positively rejects every thing that has only an imaginary existence. For an action of slander to lie, on account of an accusation of *killing*, the words must not only evidently apply to the plaintiff as the killer, but, in a case like the present, it must also appear, that the persons said to be killed *are actually dead*: for instance, if I say to either of you, "Thou hast poisoned A. B. and it shall cost me 100*l.* but I will hang thee: no action will lie for these words, without proof being produced by the plaintiff, that A. B. is actually dead."—See *Rolle's Abridgment*,

vol. i. p. 77.—Thus, you see, though the killer and the killed are clearly designated, the law rejects the action, because *the death* is not proved.

But, Gentlemen, suppose the Doctor were to pull out a list of his patients for some years past ; suppose he were to point to the populous grave-yards of this unfortunate city, and say, *These* are the people that the defendant has accused me of killing with deadly weapons ; and suppose you should be convinced of the truth of his assertion, still the action will not lie ; unless it be evident that Mr. Cobbett meant, that these people were killed *criminally*, and to ascertain this, *all* the words must be taken together. For instance, if I say, “ *Mr. Harper is a thief,*” and if I stop there, an action will lie against me ; but, if I say, “ *Mr. Harper is a thief, FOR he has stolen the “ thoughts, the words, the expressions, the sentences, “ and even whole paragraphs, from Monsieur Mallet “ du Pan, and dressed them up into a speech for Con- “ gress ;*” no action will lie for these words, 1. Because the latter part of the words are satisfactorily explanatory of the former ; and, 2. Because the words, taken all together, do not accuse Mr. Harper of any *crime*, but merely of a little of what the law calls *trover and conversion*, and what, in the critic’s court, is called *plagiarism*.—A case more in point, however, is to be found in *Rolle’s Abridgment*, vol. i. p. 72, where it is said : “ If a man says of J. S. “ *As soon as Bushe had killed Smith, he came “ to J. S. and told him, how he had killed Smith, and “ J. S. gave Bushe money to ship him away ;*” the law says, Gentlemen, that no action will lie for this accusation, though Smith be proved to be dead ; “ For,” says the learned Reporter, “ the word “ *kill* is too general, and a man may *kill* another in “ his own defence, &c. without committing any “ crime.” And if the word *kill* does not imply criminality

criminality in the act, how much less does the word *slay*, which is, now-a-days, exclusively appropriated to narratives of battles, and is *never* employed as a substitute for *murder* or *assassination*, whereas, *to kill* sometimes is.

This is, however, only a waste of time ; for you never can have believed that the defendant meant to accuse Dr. Rush of *criminally* putting thousands and tens of thousands of Americans to death. The suggestion is an insult to common sense, and a disgrace to the Judges who have suffered you to listen to it.

The other construction put upon the words of the defendant is more reasonable ; to wit : *That he has accused Dr. Rush of killing his patients with his remedies.*—The words, taken all together, do not warrant this construction ; but, admit that they do, still they are not actionable, notwithstanding the assertion of the *learned* Ingersol. This man has told you, that he has “ *an authority*” for this assertion. I wish he had told you *what* authority it was. Perhaps it was Governor (sometime Chief Justice) M’Kean ? If so, I applaud his prudence in keeping the name to himself. The authority to which I shall appeal, is of a different stamp.—“ A man says “ of a physician, *He hath killed J. S. in the Old Jewry with physic, which physic was a pill, and Dr. Atkins and Dr. Pady found the vomit in his mouth.*” —This is no vague charge ; the meaning of the words is by no means dubious ; the defendant does not, like Mr. Cobbett, speak in figurative language, and qualify his assertion with a phrase expressive of uncertainty ; the accusation is to be literally understood ; it is clear, direct, with the circumstances of manner, time, and place. Yet, says my authority, “ no action will lie for these words ; for if a physician

“ cian gives medicines or drugs to his patient, with
 “ an intent to recover him from his sickness, though
 “ the patient die after having taken them, still the
 “ physician is not punishable, so long as it does not
 “ appear that he gave the medicines, knowing them
 “ to be contrary to the nature of the disease. If
 “ the man had said, *that the physician killed J. S.*
 “ *with medicines, which he administered, knowing them*
 “ *to be contrary to the nature of the disease,* an action
 “ would have lain for these words.”—See *Rolle's*
Abridgment, vol. i. p. 71.

This, Gentlemen of the Jury, is the language of
 the common law of England, and give me leave
 to say, that it is also the language of reason; for it
 would be absurd to suppose that an action of slander
 is to be avoided by circumlocutory phrases; by say-
 ing in many words what might be said in few. And,
 if no speech and no writing is to be made use of,
 which can be fairly construed to mean that a phy-
 sician has *killed* his patient by his remedies, then I
 say, that all controversy about modes of cure must
 from henceforth cease; for it is absolutely impossi-
 ble to speak with *disapprobation* of a physician's prac-
 tice, without making use of such words as will,
 directly or indirectly, imply, that *he has killed his*
patients with his remedies. Dr. Brickell, for instance,
 in remonstrating against the treatment of General
 Washington by Drs. Craik and Dick, has these
 words: “ Thus we see, by their own statement,
 “ that they drew from a man in the sixty-ninth year
 “ of his age, the enormous quantity of eighty-two
 “ ounces, or above two quarts and an half of blood,
 “ in about thirteen hours. Very few of the most
 “ robust young men in the world could survive such
 “ a loss of blood; but the body of an aged person
 “ *must* be so exhausted, and all his powers so weak-
 “ ened by it, as to make his death speedy and inevi-
 “ table.

“ *table. Here the effect followed the cause precisely:*
 “ the physicians soon observed the powers of life
 “ yielding; a loss of speech; and that he expired
 “ without a struggle! The *excessive bleeding had*
 “ *left him no strength to struggle!!*”

Now, Gentlemen, follow the rule laid down by the law, take all Dr. Brickell's words together, and you will, at once, perceive, that he charges these physicians with killing General Washington with their remedies. He tells them, that the blood they took from their patient *rendered his death inevitable*; he says that their bleeding was *the cause of his death*; and that the *excessive* bleeding left him *no strength to struggle with*. But, are these not *truths*? And shall this, or any other man, be prevented from speaking and publishing these salutary truths? Shall he be harassed and prosecuted; shall he be muzzled, gagged, or fined to his ruin, because he has had public spirit enough to promulgate truths so necessary to the preservation of even the lives of the people; and all this merely because the promulgation tends to diminish the practice and profits of a second Sangrado and his bleeding disciples? The laws says, No! Reason turns with disgust from the absurdity; Justice grasps her sword, and Liberty revolts, at the presumptuous, the tyrannical position!

Having now, Gentlemen of the Jury, completely justified the words of the defendant, by establishing the *truth* of those which are, in themselves, actionable, and by proving that those, the truth of which does not admit of positive proof, are, in no sense, actionable, it is not a duty incumbent on me to show, that none of them were published with a *malicious intent*: the charge of *falsehood* being disproved, that of *malice* falls of course. But, Gentlemen,

lemen, witnesses have been produced to make you believe that private malice, and not public good, was the basis of the publications; and the defendant, strong in the purity of his motives, and indignant at the reproach with which he has been assailed, instructs me to repel the ungrateful insinuation.

The three witnesses, to whom you have been listening, are all physicians (as they have the politeness to call themselves), of the school of Rush; two of them were his *pupils*, and, I trust, no one of the three would have been admitted to give evidence, in a similar case, in any other court in the world; seeing that each of them, in proportion to the extent of his practice, is as deeply interested in the result of this trial, as is the plaintiff himself. Observe, Gentlemen, that, when Mr. Cobbett speaks of the deadly effects of the system of depletion, he does not say, that *Rush* has slain "his thousands" and tens of thousands," but that the "*Rushites*" (that is, all those who follow this fatal system) "have slain *their* thousands and tens of thousands;" so that the persons who have been admitted to give evidence, are, virtually, joint plaintiffs in the cause! It was lately decided by the Judges in this very court, that no inhabitant of Philadelphia should be admitted to give evidence against persons charged with the transgression of the law prohibiting the erection of wooden buildings; because, living in the same city where the building had been erected, he might *possibly* be interested in the result of the trial. And if this was good ground for exception, how much better is the ground for excepting to the evidence of "*Rushites*" in the present case? And yet this evidence is admitted! Is this your impartiality? Blush, Americans, for your tranquil submission!

But,

But, Gentlemen of the Jury, you have, however, heard this evidence, and therefore I shall, for the reasons before stated, endeavour to remove the impression it may have produced.

The first of these witnesses is *James Mease* *. He has told you, that, about six months *after* this action was commenced, he heard the defendant say, speaking of Dr. Rush: "*Damn him, he had better withdraw his suit, or I will persecute him while living, and his memory after his death.*" The plain truth of the matter is this: Mr. Cobbett went to the Island, where Mease was king Robinson Crusoe, along with an English captain, who had some business with a sick sailor. While the captain was gone to the hospital, Mease asked Mr. Cobbett into his apartment, brought out a bottle of wine, and gave him a pressing invitation to dinner. The invitation was declined, but two or three glasses of wine were drunk, and a conversation, of the rallying bantering kind, took place; and, as it is impossible to be with a Rushite for a quarter of an hour, without being pestered with an eulogium on the fraternity

* Besides the interest, which these men had in common with Rush, they each of them had a *private grudge* against me, which will clearly account for their volunteering in the business, and for their treachery in divulging private conversations. Mease's conduct at the Island was very severely, though very justly, treated in Porcupine's Gazette; and it will be remembered, that he hated me for refusing to publish his base and assassin-like attack on poor sottish Mitlin. If the man who reads this note, has not read the first number of the Rush-Light, I beg him to turn to it, where he will see recorded an act of this Mease, surpassing in ingratitude, in treachery, in cowardly black-hearted malice, any thing ever imputed even to the inhabitants of the infernal regions. And, when he has read this, let him recollect, that this Mease is the *pupil*, the *dear friend*, and one of the *trumpets* of Rush, who, in his Account of the Yellow Fever of 1793, *blessed God* for preserving the young man's "*precious life!*" Such, or nearly such, are *all* his friends.

and the abominable remedies they employ, Rush and his lawsuit soon became the topic. Mr. Cobbett certainly did, on this occasion, as on many others, make use of words strongly expressive of his resentment at Rush's insolent and vexatious appeal to the law, and he well remembers threatening *to make him repent of it*; but, as to *damning* him, he utterly denies it; for, though he has to atone for too many sins of this sort, he is certain that he never so far degraded a curse as to bestow it on Rush. And, with respect to his saying, that he would persecute *his memory after his death*, the thing is absolutely incredible: he might as reasonably have threatened to persecute the *memory* of a butterfly or maggot. "Can the *Rush*," says Job, "grow up without mire? Whilst it is yet in his greenness, and not cut down, it withereth before any other herb." Upon reading these words, one is tempted to believe, that the holy seer really had the Pennsylvanian Hippocrates in his eye; for, though he is yet in his greenness, though he is still alive, his fame has perished of itself; it is withered and dead.

However, Gentlemen, what degree of credit soever you may be inclined to give to the testimony of *Physician Mease*, though you should believe that the defendant uttered the words precisely as the witness has stated, you must remember, that these words were uttered eight months *after* the suit was commenced; and that they cannot tend to establish the *malice* imputed to the publications, for which this action is brought, because they express resentment against Rush *for his conduct subsequent to those publications*.

The next of the volunteer witnesses is *John Redman Coxe*. He tells you, Gentlemen, that, on the 2d of October 1797, which was some weeks after

this action was commenced, he was in Mr. Cobbett's house *, and that he there heard him say, that "he did not *believe* he should have said *so much* " on bleeding or mercurials if Dr. Rush had not " been the founder of the system." By the little cunning sniveller's noting down the very day of his visit, it would appear that he attached great importance to these words; but, Gentlemen, you assuredly cannot believe, that they have the least tendency to establish the *malice*, which is imputed to the publications of the defendant. Mr. Cobbett said, "he " *believed*, that he should not have said *so much* " about bleeding and mercurials, if *Dr. Rush* had " not been the founder of the system." What is the meaning of these words? Do they imply malice against the *man*, as the babblers on the other side have asserted? No such thing, Mr. Cobbett having always entertained that opinion of Rush, which his

* Yes, this subaltern Sangrado did really come to my house about this time, and did very earnestly intercede with me in behalf of his preceptor; and, by the same token, I remember that he presented me a list of physicians of Philadelphia, whom he very strenuously persuaded me to *lampoon*! Upon this list were the names of Kun, Wistar, Parke, and several others; and the base accusation, which he wished *me* to prefer against these respectable gentlemen and truly eminent physicians, was, that they had *deserted the poor in the hour of distress*, than which nothing would have been more false and malicious, or would have produced against the parties more public odium and reproach. " *Damme*," said the little bleeder, " *shoot one of your quills at them: you'll set Wistar dancing mad, and he's a sly democrat.*" I resisted this eloquent solicitation. I felt no inclination to set Dr. Wistar dancing mad: for, whatever might be his political opinions, he kept them to himself; and I had always heard, that he was a man of great private worth.

Such are the *pupils*, the *friends*, and the witnesses of Rush! Such are the fellows, who have the impudence to come forward in a court of justice, and accuse *me* of *underhand malice*! Happy would it have been for them, had they been yet unborn. Their great leader will sink, and will drag them all down with him to the bottom of the mire.

conduct in the fever of 1793 was so well calculated to confirm; having always looked upon him as a wild and persevering experimenter, and having seen him publish, that he was "*resolved to stick to his principles and his practice to the last extremity,*" was it not very natural, that the character of the *man* should increase his zeal against the system? And, was it not as natural that he should say, that he *believed* he should not have said *so much* against it, if Rush had not been its founder? Permit me to put a case to you, Gentlemen. Suppose Jefferson were to propose to you a new alliance with France: should you listen to it with the same patience as you would to a similar proposition from Mr. Adams? And would you not be justified in declaring, that you *believed* you should not have said *so much* about it, if Jefferson had not been the proposer? Should you not, if this your declaration were brought forward as a proof of your *malice* against Jefferson, spurn at the promoters of the charge and the wretched spies they had employed? Were you free men, nay, were you vassals, were you slaves, were you any thing but Americans, you certainly would.

The last of this goodly trio of betrayers of private conversation is *William Dewees* *.

And

* I have shown that the other two witnesses had a private grudge against me, and that *Dewees* had also, the reader will be convinced, when he is told that the following article appeared in *Porcupine's Gazette*.

"Another Puff."

(From the New York Gazette.)

"Messrs. M^cLean and Lang,

"A Philadelphian now in New York was yesterday sorry to see the *able and useful* Physician *Dr. Dewees* in this city, know-
"ing

And here, Gentlemen, I shall, for the first time, take the liberty to deviate, for one moment, from my subject, in order to give you some idea of the character of the *father* of this witness. This is fully warranted by the manner in which the action has been attempted to be supported by the Rushite pleaders, who have not only loaded the character of the defendant himself with every species of calumny, but have most shamefully slandered his honest parents, by asserting that he is "a wretch cast up from the *slime* of mankind." That this is false you well know, and that it merits that retaliation which truth can inflict you cannot deny. The gin-shop pedigree of the plaintiff you are all acquainted with; something very pretty might be said about the *relations* and the *descendants* of the two first witnesses, *Mease* and *Coxe* *; and the following account of the progenitor of Dewees seems necessary to complete the genealogy.

The modesty of this "*able and useful physician*" never suffered him, I dare say, to suppose that the fame of his ancestor was recorded in *history*; and I have no doubt that he will feel himself obliged to me for acquainting him with the fact. *Mr. Smyth*, who was a British officer, confined as a prisoner of war in the gaol of Philadelphia, during the revo-

"ing that his absence from Philadelphia will prove a *serious loss* to the afflicted of that place.

"*Sunday Morning, Sept. 17, 1797.*"

This article, which was, most probably, sent to the New York Gazette by the "*able and useful physician* himself," was inserted in my paper immediately after my comments on one of Rush's most impudent puffs. This is the way they have gone on all over the country. There is not a single member of the fraternity who is not a *puffer*.

* This is "high matter," and will form a separate and most curious article in the Rush-Light.

lution,

lution, and who afterwards published an account of his treatment, speaks thus of the father of the witness :

“ All this time the gaoler charged us at an extravagant rate for diet, fire, and candle, besides an allowance that he received from the Congress for that purpose ; by which means he extorted every farthing of money from us, as far as our credit then would go. But being determined not to run in debt, I at length refused to pay him any more than the Congress allowed, and was obliged after this to subsist upon bread and water alone during seven weeks. This gaoler’s name was *Thomas Dewees*, as tyrannical, cruel, infamous a villain as ever disgraced human nature.” After Mr. Smyth joined the Royal army, he came with it from the Head of Elk to Philadelphia. “ On the morning,” says he, “ of the day that a detachment of the British army first entered Philadelphia, a number of the Americans fell into my hands, and amongst the rest *Thomas Dewees*, the cruel, tyrannical gaoler, under whose iron talons I had suffered so long and severely. As soon as this wretch found that I was the officer commanding the party, his terror is not to be described, as he expected nothing less than immediate death ; falling on his knees he begged for his life, and for mercy : I desired him to consider what he merited from me. He acknowledged he deserved neither favour nor compassion ; said that his orders respecting me had been more rigorous than against any other, and owned that he had executed them in their full severity ; but still most earnestly entreated forgiveness. I told him that for the sake of his innocent wife and *children* (for he had a large family), I would forgive him, as he professed sincere contrition, and proposed to take

“ the

“ the oaths of allegiance to his Majesty : this he readily performed ; and had the audacity afterwards
 “ of applying to Earl Cornwallis to be appointed
 “ Deputy Provost Marshal over the rebel prisoners in
 “ Philadelphia, in the accomplishment of which
 “ pursuit, however, he very justly failed *.”

Such is the account which history gives of the father. Now let us judge of the son, by the evidence which, in this trial, he has given with the intent of establishing the charge of *malice* against the defendant.—The witness relates to you, that, being at the defendant's house in the month of *January* 1797 (nine months previous to the date of the publications, on which the action is grounded), he heard him reprobate the Eulogium on Rittenhouse, which Rush had just then delivered ; and that, on this occasion, he heard the defendant say, that the Eulogium was “ too republican,” adding, “ Damn him, I will attack him for it.” Hence, Gentlemen, you are requested to believe, that the publications of *September* were no more than a fulfilment of the threat of *January* ; and that Rush's system of bleeding was attacked from *political* motives, and not from any opinion that the defendant entertained of its dangerous effects. Levi has told you, that Mr. Cobbett never attacked the Doctor's politics : “ not a word,” says he, “ was ever seen upon that head ; his attack was designed to be on a part more injurious to the man ; he threatens in *January*, and executes in *September*. The arrow was stuck in his side, he did not attempt to draw it out at the moment, but he let it remain till a fit period for making it felt.”

* See SMYTH'S TOUR IN THE UNITED STATES. These extracts are taken from vol. ii. p. 293 and 422. The work has long been in the Philadelphia library, and has been sold in every city in the United States.

When

When a small lawyer gets hold of a figure of rhetoric, he uses it as awkwardly as a baby does a knife, sometimes seizing it by the handle and sometimes by the blade, while the compassionate Jury sit trembling with anxiety for the consequences. Such, Gentlemen, must have been your feelings whilst listening to the illustration of Levi. But the nonsense of my little Moses's figure, palpable as it is, is not quite so palpable as its falsehood. It is false, *notoriously* false, to say that Mr. Cobbett never attacked the Doctor's Eulogium on Rittenhouse. He did attack it. Nor did the *arrow*, as the Israelite calls it, remain long to rankle in his side. He threatened in January 1797, and there is not a man amongst you, who does not know, that in his *Censor* for *the very same month of January*, he put his threat into execution. Further: which of you has not read the last "Will and Testament of Peter "Porcupine," published in *March* 1797; and which of you, then, does not *know*, that the Eulogium was there attacked a second time, previous to the publishing of the words laid in the declaration? The silly fans-culottish Eulogium was not only attacked, but was destroyed, and was, by the defendant and every body else, completely forgotten long before the month of September *. What then becomes

* Mr. Harper said, he had read this Eulogium *with pleasure*. If Mr. Harper was serious, he has a singular taste; for I can tell him, that it is (or was, while it was above ground) despised by every man, possessed of critical knowledge or even of common sense.—Mr. Harper (though one of my *advocates*) further observed, that it was "very *impertinent* in me to express my disapprobation of it, for that I had *no business* with it."—Mr. Harper's notions of *impertinence* are as singular as is his taste in literary productions. He does, however, very graciously allow, that I had "certainly a *right* to *find fault* with it." This was going great lengths for his client; but Mr. Harper will oblige the world by explaining how I could possibly have "a *right* to *find fault* with it," if I had "*no business* with it," and if it was "*impertinence*" in me

becomes of the support, which this part of the testimony of Dewees is intended to give to the charge of *malice*?—How it dwindles and disappears!

The latter part of this man's evidence is, like the former, merely *presumptive*, and, upon examination, it will be found to be equally destitute of weight. But, Gentlemen, there is *something else*, of which, take it altogether, it is also destitute.

He has told you, that, notwithstanding he is of the school of the American Sangrado, *Mr. Cobbett employed him as a physician in his family, and, moreover, recommended him to his friends.*—As a conclusive refutation of the former part of this statement, as an unquestionable proof that Dewees was never Mr. Cobbett's physician, I might remind you, that Mr. Cobbett is *yet alive*. He might reply to this impudent assertion of the witness, in the language of Boileau's pithy epigram to Doctor Perrault, of which I will give you an humble imitation.

to speak against it. Mr. Harper does not know every thing. I dare say he does not know, for instance, that the vote of thanks, passed by the American Philosophical Society for this Eulogium of Rush, was carried by *mere faction*; and that, though it was said to be *unanimous*, it was actually opposed by the most learned and respectable members, amongst whom was *Bishop White*, whose well-founded objections were replied to by uncandid and bitter *political* reflections from the overbearing, insolent *Mr. Kean*.—Let Mr. Harper learn a little more, before he takes upon him to reprobate and condemn the opinions or the conduct of those, whose *intentions*, at least, are as good as his own. Let him claim, let him receive and enjoy, all the popularity he deserves for his zealous, his great, and efficacious endeavours in support of the government; but, let me conjure him to resolve, before he undertakes another cause, never to seek to preserve that popularity by traducing the character of his client, though that client should have the misfortune to be the subject of a king, and even though he should have the greater misfortune to have *paid his counsellor beforehand*.

You say, then, you blood-sucking elf,
 That you've been our physician, all round?
 I swear that you ne'er bled myself,
 And the proof is—I'm yet above ground*.

From this testimony of Dewees, however, you are requested, and almost *ordered*, to believe, that Mr. Cobbett had no real dislike to the Rushite *system*, but that his attack on the system arose from the *malice* which he entertained against the *man*.—This conclusion, admitting the premises, is very unfair; for the evidence does not state, that the witness was either employed or recommended by the defendant, in cases of the *yellow fever*. Indeed, it expressly states that *he was not*; and you well *know*, that the defendant has had the *yellow fever* twice in his family, and that it is the Rushite treatment of *this disease alone*, which the publications before you were intended to destroy.

But this general reply, though quite satisfactory, shall not content me: the witness deserves to be

* “ Tu dis, donc, que tu, Monsieur l'assassin,
 “ M'as guéri d'une forte ma'adie :
 “ La preuve que tu ne fus pas mon médecin,
 “ C'est, que je suis encore en vie.”

It is worthy of remark, that the Satirist here calls Doctor Perrault an *assassin*, and that, harsh as the term is, Perrault never brought an action of slander against him: if he had, all the satisfaction he would have obtained, would have been a horte-laugh.—A million instances might be produced of the great liberty enjoyed by the French writers under the much-abused Monarchy.—I am far from saying, that one man ought to be allowed to call another an *assassin*; but a court of justice, under the old French government, would have clearly perceived, that the words of Boileau did not tend to create a belief, that Perrault was actually a *murderer*; and they would have justly concluded, that the medical character which was endangered by an epigram, was not worthy of the protection of the law.

exposed.

exposed.—Being asked how long he had *attended* in Mr. Cobbett's family, he replies: "*from the return of the citizens in 1798,*" which certainly means, that he had given *all* the medical assistance required in the family, from the autumn of 1798 to this present time, the autumn of 1799.—Now, Gentlemen, recollect that this man was sworn to "tell the truth, the *whole* truth, and nothing but the truth, *so help him God;*" and then I beg your attention to a true story.

Dr. Budd was Mr. Cobbett's family Doctor, from the time that he arrived in Philadelphia to the time that he quitted it; but in the summer of 1798 Dr. Budd retired into New Jersey, where he remained till the people returned to the city. Mrs. Cobbett was at this time pregnant, and, as a precaution, in case of need, some one was sought for to supply the place of Dr. Budd. Mr. Cobbett was situated at Buffleton, 50 miles from Dr. Budd, 12 from Philadelphia, and 8 from Dewees. Very pressing solicitations were made to Dr. Budd, who would have staid at Buffleton on purpose, had not his family demanded his presence. No one from the city could be thought on; because, besides the great risk arising from his constant employment, the gentleman engaged might die before the time arrived, and Mr. Cobbett knew that the friends with whom he lived, had some objection to receiving into their house persons coming from the seat of infection and mortality. Under these circumstances, Dewees was applied to, but not till after repeated efforts had been made in vain to secure the attendance of a reputable *female* practitioner. Thus; then, Granny Dewees was introduced into the defendant's family as a last shift, a poor despicable *pis aller*.

Mrs. Cobbett returned to the city before the child was born, and Dr. Budd would now have been the man: but as Granny Dewees had been *bespoken*, and as he had been put to the trouble of two or three journeys to Buffleton, it was determined that he should attend; but not without the express promise from Mrs. Cobbett to her husband, that she would swallow none of *his drugs*, and that Dr. Budd should be called, if any medical assistance should be found necessary.—All terminated well: Granny Dewees performed his part as expertly as any skilful dame in the parish could have done, and there ended his *attendance* for that time.

In the summer of 1799 the parties were distributed precisely in the same way as they were in 1798. The dysentery raged in the neighbourhood of Mr. Cobbett, who was afraid that his little boy had got the disorder, and who, thereupon, wrote a note to the *pis-aller*, Dewees, describing the state of the child, requesting him to ride over to Buffleton, and to bring with him what he thought might be of use. He attended the next day, and left a packet of powders. As soon as the man of science was gone, Mr. and Mrs. Cobbett, and a young man who has long lived in the family, held a *consultation*, not on the patient, but on the drugs; which, after a very deliberate discussion, it was unanimously resolved to *throw into the fire*.—The child recovered; Dewees attributed the recovery to his mercurials, and has, I dare say, recorded it amongst the wonders he has wrought. He was suffered to hug himself in the deception, and there ended his “*attendance*,” in the defendant’s family, for the second and last time.

Now, Gentlemen, was this attending in Mr. Cobbett’s family “*from the autumn of 1798?*” Dewees called at Mr. Cobbett’s in the spring of 1799, and
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observing a mark on the little boy's arm, he asked if he had been inoculated: Mrs. Cobbett told him he had, and he well knew that *he* had not been the inoculator. He, therefore, knew that he had *not* attended in the family "*from the autumn of 1798.*"

This witness being asked *who* was Mr. Cobbett's family Physician, replies: "I cannot tell."—Hear the truth, Gentlemen. While he was attending on Mrs. Cobbett, her little daughter was taken ill. Seeing the child with all the appearances of sickness about her, he asked what remedies had been applied, and was told that *Dr. Budd* had prescribed for her.—So that he *knew*, and could have told *who* was the family Doctor of the defendant.

Being asked, whether he had ever been recommended by Mr. Cobbett to any other *families*, he replies: "Yes; frequently."—The *truth* is this. While Mr. Cobbett was at Buxton, and while the physicians were all employed or dispersed, he advised *two* neighbours, one in the *dysentery*, and one with a *bleeding at the nose*, to send for the *pis-aller*, judging him to be somewhat better than no Doctor at all. *Twice is not frequently.* Frequently means *oftentimes* and *commonly*. Besides, if Dewees had recollected that the oath bound him, in the name of God, to tell the *whole* truth, he would have told you, that at the very time that he was visiting these two neighbours of the defendant, another neighbour was taken ill of what was thought to be the yellow fever, and that Mr. Cobbett, who could have brought Dewees to the spot in an hour, sent for *Dr. Monges*, first to Philadelphia, then into the Neck, and after that to Jenkintown, whence he was at last brought to the patient, at 12 o'clock at night*!

What,

* By the by, this recommending and sending for Doctors to my neighbours, does not seem to be a very good proof of that *hard-*
ness

What, then, becomes of the evidence; what becomes of the character and the conscience, the body and the soul, of Dewees*?

But, Gentlemen of the Jury, this refutation of the verbal testimony was entirely useless to *you*. You wanted no information on the subject, but what you already possessed. You *all know of yourselves*, that, when the yellow fever was in Mr. Cobbett's own family, the physicians he employed were not of the school of Sangrado; you *know*, that they were *Doctor Monges* and that very *Doctor Stevens*, whom the impudent and insolent Rush had accused of *slaying more than the sword*, and to whom the defendant, along with hundreds of others, owe the preservation of their lives. Neither you, nor any other inhabitant of Philadelphia, can plead ignorance of this fact. Mr. Cobbett has more than once made his *public* acknowledgments to these preservers of himself and his family. What further information,

ness of heart and that *insignificance* in society, which the lying and ungrateful miscreants of Philadelphia have *affected* to attribute to me.—Governor M'Kean, lawyer Hopkinson, and lawyer Levi, were, last summer, deposited in farm-houses near my country retreat. I'll engage no neighbour was ever troubled with *their* solicitude for his welfare; I believe, that no one, even of the most wretched, would have listened to a recommendation from *their* lips; and I much question, if my *sword* would not, amongst *any* of my neighbours, have passed for more than the joint *band* of the three.

* I am told that Dewees has said, that he is *sorry* for what has happened; and, for once, I believe him most sincerely! But it is a pity he was not taken with this fit of remorse, before he marched amongst the volunteers to the Court, to betray the private conversation of his customer.

Strange to tell, *Rush* also says he is *sorry*!!!—Sympathetic soul! I dare say, it grieves him to death to be forced to receive 5000 dollars of British money!—It is said, however, that he has gotten his *chariot* new-painted, and has spruced himself up, since the "*liberal*" decision. This does not look much like mourning. Whether his sorrow was expressed *since* the gleam of the Rush-Light began to appear, or before, I cannot ascertain.

then,

then, can you want? You *know*, that, when he was *himself* attacked by the dreadful disease, in that awful moment, you *know* that he not only rejected the system against which he had written, but that he put himself into the hands of the very men whom your Rush had marked out as medical murderers, and thus gave to his opinion the pledge of his life? What better assurance could he give of his disbelief in Rush, and of his confidence in the opposite system? What clearer proof of his sincerity, of the purity and benevolence of his intentions, do you want? And what clearer proof, you suspicious and ungrateful people, what clearer proof can you have, unless you rip open his bosom and look into his heart?

Here, Gentlemen, I close my defence. I have shown you that the publications of the defendant are *true*; and that, with respect to his intentions, the imputation of malice is *false*. You must be convinced, that the action is vexatious and groundless; that it is a war of private interest and ambition against the safety, the happiness, and the very lives of the people. Standing thus upon the firm ground of justification, I disdain hackneyed invocations to the liberty of the press. The defendant stands in need of the interposition of no imaginary goddess; he seeks no shelter from new-discovered principles and new fangled institutions; he asks no other rights, privileges, or immunities, than those which the humblest of his humble forefathers enjoyed; his motto is the motto of his countrymen, *Nolumus leges Angliæ mutari*; from those laws, the common, the established, the ancient laws of England, and from those laws alone, he will accept of protection. From *your* hands he begs not for mercy, but demands justice; and should you despise this demand; should you listen to the suggestions of his base persecutors, and endeavour to “make him a
I “ *blighted*

“ *blighted picture of infamy and ruin,*” I venture to predict, that not only your efforts will prove impotent, but that you, and your country, will repent of your compliance. My word for it, *ruin* is not his fate. “ I have been young, and am now old; “ yet I have not seen the righteous forsaken, nor “ his seed begging bread.” And, though you should succeed in wresting from him the fruit of his care and his toil; though you should embitter his life with domestic distress, you will, thereby, but extort fresh proofs of his fortitude and integrity, and of the baseness, the malice, the ingratitude and perfidy of his foes: you will only give lustre to his character, and stamp infamy on your own. Nay, should your friends, your neighbours, your countrymen, and the world, join in applauding an iniquitous decision; and should you go on rejoicing to the very verge of the grave, still you and your accomplices should bear in mind, that all does not end there, and that death is not eternal sleep. The witnesses, to whom you have listened with such delight, are no casuists, I ween, or they would have perceived, that giving such evidence as manifestly tends to *produce a belief of what is not true*, is something very like perjury; and that, HE who has said, “ Thou shalt not bear false witness against thy “ neighbour,” will not be put off with subterfuges and mental reservations. Nor would I have you forget, Gentlemen, that there is *another tribunal* in which you will appear, not to judge but to be judged; and that, *affecting* to believe what you do not and what you cannot believe, though it may *here* serve as a convenient excuse, will not justify you in the presence of the Searcher of all hearts, in whose awful name you have promised to do justice! *There* it will not be asked, whether the plaintiff were an American and a republican; nor, whether the defendant were a Briton and a royalist: the only question

question put to you, will be—*have you acted according to your CONSCIENCES?* That, and that alone, will be the subject of the inquest, and the ground of the judgment!

POSTSCRIPT TO THE SECOND EDITION.

SINCE the foregoing sheets were published, it is said, that the jurors declare, that, had my lawyers pleaded my cause as well as I have done it myself, they would not have assented a shilling damages against me. Paltry excuse! There is no *new fact*, of any importance, brought to light by me. They knew before all that they know now; but they little expected the exposure which has taken place. They now see themselves pointed at as a set of perjured villains, and they lay hold of any apology that presents itself. I will, however, endeavour to preserve their vile names from oblivion a little longer.

LIST OF THE FIVE THOUSAND JURY.

Isaac Paxton, hardwareman, No. 10, South Third-street; *Wm. Jolly*, ironmonger, No. 11, Arch-street; *Joseph S. Lewis* (nephew of Samuel Coats), merchant, No. 25, Dock-street; *Isaac Austin*, watchmaker, No. 7, Arch-street; *Thomas Wm. Armat*, shopkeeper, No. 21, North Second-street; *George Thompson*, shopkeeper, No. 129, North Third-street; *Jacob Sperry, jun.* looking-glass-man, No. 195, Market-street; *John Taggart*, merchant, No. 5 and 11, North Water-street; *W. Roberts*, house-carpenter, No. 136, Chestnut-street; *Archibald Bingham*, shopkeeper, No. 32, North Second-street; *Jacob Rees*, shopkeeper, No. 151, North Third-street; *Benjamin F. Garrigues*, grocer, No. 118, South Second-street.

✂ In the last Number I put, by mistake, *John Paxton* instead of *Isaac Paxton*.—I have been told, that *Thomas W. Armat* threatens

threatens to *sue me*. I wonder what has filled the pate of this Philadelphian coxcomb with *law*? Does he imagine, that, because he was "dressed up in a little brief authority" on the 14th of December last, his conduct at that time is not to be inquired into? Does he imagine, that his having been a jurymen will render him sacred and inviolable? I am only sorry that he is too insignificant a creature to attract public attention. He puts me in mind of those little vermin, which often escape a mortal squoze, because they are too small for us to feel them with our fingers.— I request, however, that my correspondent will not exclude this article from the English edition. The Philadelphians, in the hey-day of their malignant exultation, called the decision against me an *important* one, triumphantly publishing the names of the jurors; and as their publication never was, and never will be, read, these jurors ought to thank me for snatching their names from oblivion.

TO THE LIVERYMEN OF LONDON.

GENTLEMEN,

IF you are not a mere mob, you must have some little desire to know in what light your public conduct is viewed by the rest of mankind; I therefore take the liberty to inform you, and your countrymen in general, that your *last choice of a Lord Mayor* has procured you the honourable applauses of all the republicans, revolutionists, rebels, and regicides in America. That the authenticity of so agreeable an article of information may not be a matter of doubt with you, I here insert an extract from a democratic newspaper of New York, entitled, the "*American Citizen*," which extract I humbly recommend to be nailed up, in letters of brass, in some conspicuous part of your Guildhall.

" *New York, Friday, March 18, 1800.*

" We publish in our paper of this day, an account of the proceedings at the election for
 " *Lord Mayor of the city of London.* The London
 " papers

“ papers which we have received, and which con-
 “ tain an account of this transaction, are of an
 “ older date than several other accounts that have
 “ been received from Europe. We believe, how-
 “ ever, that this transaction has not been published
 “ in any paper of the United States; it will, there-
 “ fore, probably, be gratifying to many of our
 “ readers, and to a still greater number it must be
 “ essentially interesting, to know the political senti-
 “ ment that is prevalent in the capitol of England.
 “ It is not the mere circumstance of the election of
 “ a corporation officer in a distant country that can
 “ be of any consequence to the American Citizen;
 “ but consequences drawn from certain facts are
 “ frequently of vast importance in political calcu-
 “ lation. It is in this point of view, that we have
 “ reason to *rejoice* at the late election in the city of
 “ London. One of the candidates in this case was
 “ the known and *decided friend of monarchy*, the ad-
 “ vocate of every measure of English administra-
 “ tion; and his opinions harmonized with the
 “ general arrangements of the government. Ano-
 “ ther of the candidates possessed sentiments di-
 “ rectly opposite. Alderman Combe, who was elect-
 “ ed to the Mayoralty of the city of London, is
 “ reputed to be, and we believe, with truth, *a firm*
 “ *republican* in his political sentiments. He has
 “ triumphed over all opposition, which shows al-
 “ most unequivocally certainty, that *the capitol of*
 “ *England is making progress in the diffusion of repub-*
 “ *lican sentiments*; and that, from this single cir-
 “ cumstance, there is reason to believe, that energy
 “ of mind in that country will rise superior to the
 “ political degradation into which its government
 “ has endeavored to precipitate it. Should an
 “ event of this sort exhibit itself in England, it
 “ would strengthen, in a high degree, *republicanism*
 “ *throughout the world*, and become the guarantee

“ of the best interests of liberty among the human
“ race.”

Now, Gentlemen, what think you of this compliment? The political sentiments of your eulogist are here fully displayed, and the inference to be drawn from his eulogy is too evident to escape you. This man rejoices at the result of the late election, because the candidate, whom you have rejected, is “ *a decided friend of monarchy,*” and because the one you have chosen is “ *a firm republican.*” Hence he very naturally concludes, that the “ *capitol*” [republicans are not the most correct writers in the world] “ *of England is making progress in the diffusion,*” [diffusion] “ *of republican sentiments;*” on which circumstance he founds a malignant hope, that the government of England will, ere long, be destroyed, and that republicanism will be strengthened throughout the world; a hope in which, I dare say, he is most heartily joined by the regicides of France.

When men’s political conduct is such as to merit the enthusiastic applauses of every enemy of their king and country, it requires no comment; I shall, therefore, only add, that I trust it will be very long, ere “ *a reform in Parliament*” will enable you and your numerous brother-citizens to send *forty* Combes at a time to occupy the benches of the House of Commons; for, whenever that unfortunate day arrives, Britain will soon be what Holland now is.

New York,
March 19, 1800.

PETER PORCUPINE.

REPUB-

REPUBLICAN MORALITY.

*Halifax (Nova Scotia),
November 7, 1860.*

MR. PORCUPINE,

AS the newspapers throughout the United States of America generally contain lists of what the people there (in the decent language of liberty and equality) style British spoliations, and as I owe some left-handed compliments to those enlightened citizens, I thought I could not better discharge that part of my debt than by communicating to them, through the channel of your newspaper, some observations on the case of the ship Polly and cargo, lately condemned in the Court of Vice-admiralty here. As I know those virtuous lovers of liberty delight in mischief, it will be very pleasing to them to add this case to their catalogue, as it will furnish what, in the republican dialect, will be called another glaring instance of *British piracy*. Besides, it will be peculiarly grateful to them, as it will furnish a strong proof that Jacobin morality gains ground fast in the United States, and will afford a favourable prospect, that the erroneous opinions our foolish ancestors entertained of the sacred obligations of an oath, give way fast to the admirable philosophy of modern republicans; it will also help to keep up the spirits of the fraternity, during the present deranged state of affairs; for it will be considered a great point gained, when they can destroy the credit which is due to public papers; for those gentry love established governments, as the devil in old times was said to love holy water. The ship Polly was laden with cocoa, indigo, cotton, coffee, and sugar; and, by her papers, both vessel and cargo appeared to be wholly owned by Messrs. Mann and Foltz, merchants at Charleston, South Carolina. The papers stated her voyage, when captured, to be from Charleston to Cadiz. She was brought into this port by his Majesty's ships of war the Hind and Termagant. Her papers, and the proofs of her neutrality, were prepared apparently with great care, and seemed full and complete. She had, first, a bill of health from the port of Charleston. Second, a bill of lading, signed by Joseph Taggart the master, and by Mann and Foltz as the shippers of the cargo, at Charleston, for their account and risk, consigned to John White, Esq.

at

at Cadiz, no freight to be paid, being the owners' property. Third, A manifest and clearance for the whole cargo, under the seals and signature of the officers of the customs for the port of Charleston, by which it appeared that the whole of this cargo was shipped in August last at Charleston, and was cleared out for Cadiz. Fourth, An affidavit made by Mr. Foltz in the strongest terms, who swears that the whole of this cargo actually belonged to him and Mr. Mann, his partner, merchants and citizens of the United States, and that no other person whatsoever had any interest therein, directly or indirectly. This affidavit is made before a notary public at Charleston, of the name of John Mitchell, who certifies the same under his seal, with the usual formality, and also certifies the respectability and citizenship of Mann and Foltz; and for fear there should be any doubt of the authenticity of this paper, certificates from the British and Spanish consuls are annexed, to establish the official situation of Mr. Mitchell (which leads me to express a strong wish that his Majesty's consuls will be, in future, a little more cautious how they affix the arms of Great Britain to such trumpery). Fifth, A roll of equipage. Sixth, Letters patent, under the great seal of the United States, signed by the President, and countersigned by the Secretary of State, recommending this vessel to the protection of all the nations on earth, she being wholly owned by the subjects of the United States of America; to which is annexed an affidavit made by Taggart the master, who swears, that no subject of the belligerent powers has any interest in this vessel, directly or indirectly. Seventh, A letter of instructions to the master, signed Mann and Foltz, who order him to deliver this cargo to White at Cadiz, who had orders to remit the proceeds to London, and they direct him, either to return with freight or a cargo of salt to Charleston. Lastly, An invoice and letter from Mann and Foltz to White, advising him of their having shipped this cargo to his address, and request him to remit the proceeds for their account, to Mr. John Shoulbred, of London.

This vessel sailed from Cadiz last December, as an American vessel commanded by one Howland; Noili, who was on board, passed as a passenger, and brought in her to Charleston a cargo of wine, brandy, vinegar, fruit, and dry goods; on his arrival there he discharged Howland, and appointed

appointed Taggart, who had been the mate, to be master, and appointed his brother mate. Without discharging this cargo at Charleston, which was registered in the custom-house at Cadiz (as appears by the papers found on board), as the property of Spaniards, to be delivered at Lagaira; they procured American papers, to show that the cargo, being the property of American citizens, was shipped for Lagaira at Charleston, on board the American ship Polly, both vessel and cargo the property of American citizens, dwelling at Charleston. Under cover of these papers they arrived at Lagaira, where Noili disposed of the cargo agreeably to its original destination, and loaded the present cargo, principally for the account of the house of Beine, at Cadiz. At Lagaira he and Taggart formed a set of papers, to show that Taggart had purchased this cargo, with the proceeds of the outward cargo, owned by Mann and Foltz, and that he had shipped it for their account and risk, to be delivered to them at Charleston. With these papers the vessel sailed for Lagaira, actually bound to Cadiz, but to touch at Charleston, for the express purpose of procuring American papers, as fully appeared by the papers found concealed. Noili staid at Lagaira, and he mentions, in one of his letters, his fear that if the English found him on board it might condemn the whole. The vessel arrived safe at Charleston—the master having, with his false paper, deceived the officers of a British frigate, by whom he was examined during this passage. At Charleston he shipped a new crew, and having procured American papers of all kinds, without landing the cargo, he sailed for Charleston.

The master, and his brother the mate, whose name is Samuel Taggart, were examined on oath; they call themselves citizens of Rhode-Island, and confirmed the account given of this vessel and cargo by her papers, and declared that no papers of any kind whatever had been destroyed or concealed in any shape. The crew having been shipped at Charleston, after this ship was ready for sea, could give no account about her. The cook, unfortunately for the concerned, had not been converted from the Christian to the Jacobin religion, and was foolish enough to believe that he was bound to tell the truth, when examined on oath; and the stupid, silly fellow told, how Samuel Taggart the mate, after

after the vessel was brought to by the ships of war, ordered him to burn a quantity of papers, which from the appearance he supposed to be the log-book ; that he burned the whole in the mate's presence. The master claimed this vessel and cargo for Mann and Foltz, and after the cause had been considerably investigated, several letters and papers were found concealed between the lining of the cabin and the stern-post of the ship, which gave the complete history of the ship and cargo, and fully proved, that the whole of the papers and affidavits before mentioned were a composition of shameful falsehoods fabricated by persons calling themselves American citizens, for the purpose of deceiving the British nation, and prevent its making prize of the property of its enemies. What they were to receive for their services is best known to themselves ; though I believe, from the best information I can obtain, that the market was overstocked with the consciences of American neutrals, and that in the present enlightened century they sell for a very low rate. It was fully ascertained by these letters and papers, that this vessel and cargo belonged to, and were under the sole management of a Spaniard named Guillaume Noili ; that the whole of the cargo was put on board this vessel, at Lagaira, under his sole direction and management ; the register from the Spanish custom-house clearly showed the whole to be the property of Spanish merchants, and from it and other papers it fully appeared that Mann and Foltz did not own one shilling's worth of the property, unless they could pretend to own some cocoa and indigo, to the value of four thousand dollars, which Noili directs his correspondent to deliver to their order at Cadiz, free of freight, or commission, as he hoped they would charge no commission for the services at Charleston.

After this statement, it is scarcely necessary that I should say the unjust judge (as this virtuous race of neutrals are pleased to style the judge of a British Court of Admiralty) condemned both vessel and cargo, and I need not tell you how glad I am that the neat proceeds will, in a few days, be distributed amongst some of those brave men who are the defenders of the civilized world. But I cannot conclude without observing, that if this case should come to the knowledge of the American Government, and it neglect to procure

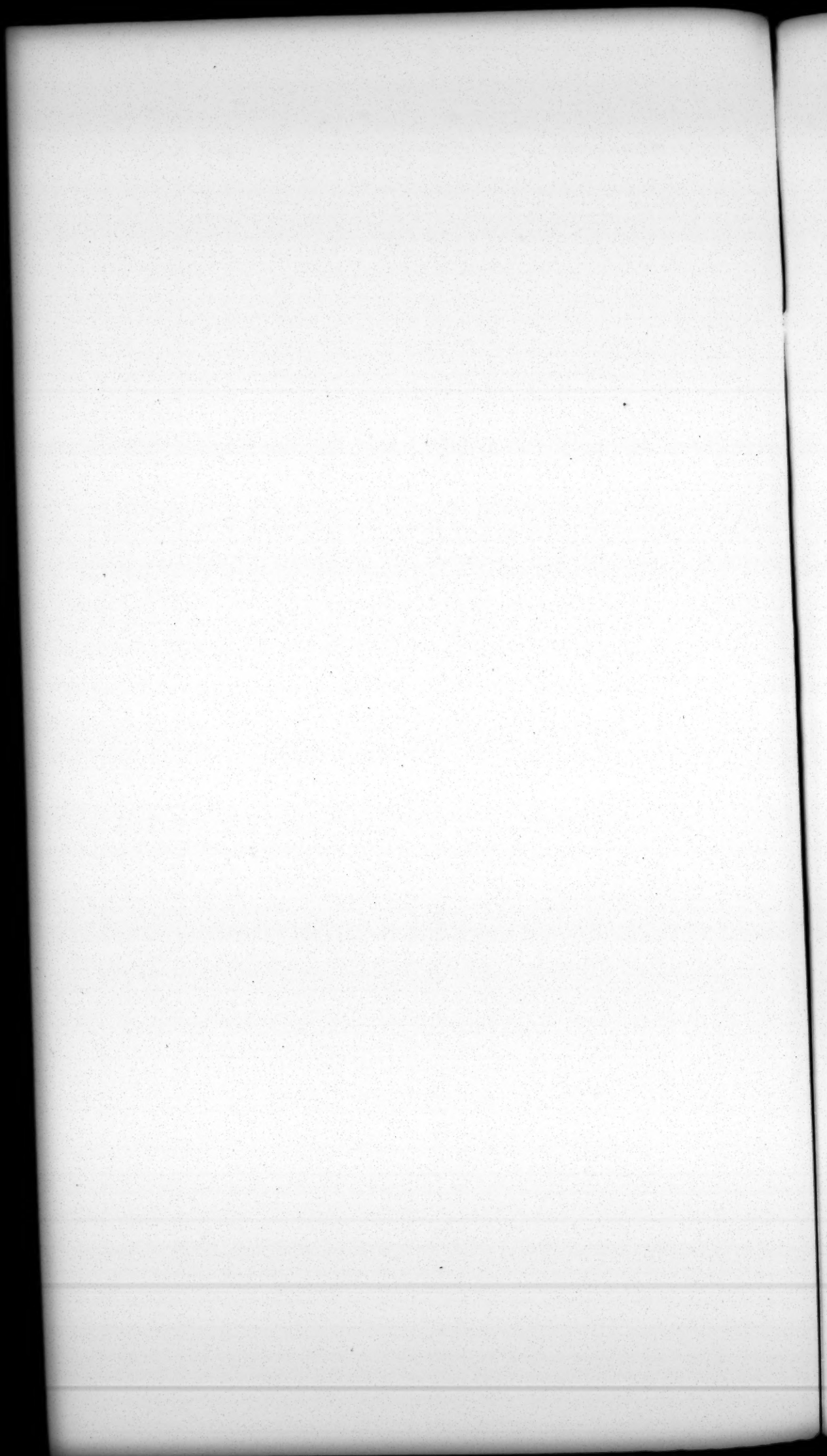
cure those papers, and decorate the pillory with them, and the ears of the good citizens who fabricate them, I feel little doubt, in my opinion, that that feeble, philosophic government will soon pass away like an empty shadow; and it will remain with the people who profess the Christian religion, to unite in forming a strong and energetic government, sufficiently powerful to erase from the face of the earth a set of vile miscreants who deny the existence of God, and comfort their doubting converts with the hope, that, even if they should find death to be other than eternal sleep, yet that it would require only one grand revolutionary movement to republicanize the infernal regions, and establish a democracy in Hell.

I am, &c.

E.

Such, reader, is American *morality*! Such is the morality of a people who have taken for their motto, "*Virtue, Liberty, and Independence!*"—I have at times seen, in those British prints which are famed for nothing but their attachment to the enemies of Britain, very severe reflections on the conduct which our naval commanders and Admiralty judges have been "*guilty of*" (as it is phrased), towards the American neutrals. I trust that the facts stated in the above letter will induce all loyal subjects to doubt the truth of the accusations which these seditious prints are continually preferring against his Majesty's civil and military officers.

END OF NUMBER III.



March 31, 1800.

“ An Englishman loves *liberty*, but he loves it not
“ for the sake of the mere name; he must have
“ something substantial that results from it; some-
“ thing that he can see and feel: this he has in the
“ freedom of his person, and the security of his
“ property. An Englishman, therefore, thinks
“ more of his *civil* than his *political* liberty.”

IN the preceding Numbers of the *Ruth-Light* I have given a sketch of the parentage, and of the moral and literary character of *Ruth* ; I have detailed the insolent absurdities of his general conduct, and the frightful consequences of his system of depletion ; and I have, I trust, most satisfactorily justified the words, for the publication of which the

NO. IV. X oppressive

oppressive and unprecedented judgment was given against me, in the city of Philadelphia. Here then I should stop, were my design confined to a defence of my own character, and to the blasting of that of my persecutors. But as I observed in the introduction to the subject, my views extend to far greater utility ; and therefore, though the injustice towards myself is already universally acknowledged ; though it has excited the indignation of every honest man ; though it has roused into action, in my favour, every latent sentiment of friendship, and has, with respect to me, in a great measure extinguished the ardent embers of political hatred ; though every wish of a private nature is gratified even to satiety, still the public and the world have on me a claim which it would be a dereliction of duty to resist.

The Narrative of the juridical proceedings in the cause of Rush, furnishes, as I observed before, a series of facts, of which justice to the people of America, justice to foreign nations, and particularly to the deceived and infatuated in my native country, demand an ample exposure. This subject is of some importance to every man who has the slightest notion of *real* liberty, or the least desire to secure its enjoyment. The character and conduct of Rush, the fatal effects of his medical practice, and the decision against me, are, in different degrees, all matters of private or local consideration ; but the proceedings of courts of justice, as they stamp the character of a state, and form the truest criterion of its government, are in some measure interesting to all persons, and in all places. *Political liberty* is a matter of speculation rather than of interest ; it is an imaginary something of meaning undefined, and is, at best, a very distant, if not a very questionable, good. But *civil liberty*, which is, perhaps, better expressed by the single word *justice*, is clearly defined
and

and understood, and is ardently beloved by us all : it brings us into contact with the government, the excellence of which it makes us feel : it comes to our homes and our fire-sides ; it throws a rampart round our property and a shield before our persons ; it is our guide and our help through the day, and our guardian when we lie down to sleep. This is the liberty of which our forefathers were so proud : this is the liberty which their blood so often flowed to preserve to their children. What degree of *this* liberty is enjoyed in America, the following narrative will evince.

The malicious suit of Rush against me was brought in the *Supreme Court of the State of Pennsylvania*, and my first object was, to remove the suit from that Court to the circuit of the *United States*, a removal which my being an *alien* gave me a right to demand, but which was, by the Judges of the Supreme Court of Pennsylvania, absolutely refused.

The nature of the Courts of which I have spoken, and the extent of their jurisdiction, are understood by some few persons in America ; but as I hope the *Rush-Light* will be read in Great Britain and Ireland, some little explanation respecting these Courts appears to me to be necessary.

The several States composing those dominions which are known to foreign nations by the title of *The United States of America*, are so many distinct and independent sovereignties, and not, as is generally imagined in Great Britain, so many counties or provinces. The State of Pennsylvania, for instance, has its own governor, who is the chief executive magistrate, and whose authority is, in many respects, less limited than that of the King of Great Britain.

Britain. It has besides its two houses of Legislators, who, with the Governor, make laws for the government of the State, and who are uncontrolled by any other power whatever. In like manner it has its own Judges, who are appointed by the Governor, but without the advice or consent of a privy or other council, and without the instrumentality of any ministers, on whom responsibility will attach.

In some of the other States, the power of the Governors is more limited; in that of New York, for instance, there is a Council of Appointment; but every State is totally independent of all the others, and, as far as relates to its civil jurisdiction, it is also independent of the government of the United States. In some cases, however, the judiciary of this latter has, in all the States, what is called a *concurrent jurisdiction*; which concurrent jurisdiction is expressly provided for, in cases where an *alien* is a party.

The constitution of the United States is very clear on this head. It says, in Sect. II. "The judicial
" power of the United States shall extend to all
" *controversies between a State, or citizens thereof,*
" *and foreign States, citizens, or subjects.*"

In order to obviate misconstruction, and more fully to provide for the due observance of this part of the constitution, so necessary to the security of the property of aliens, the Congress of the United States, amongst the first of its proceedings under the present Constitution, passed a law, which says: "And be it
" further enacted*, that if a suit be commenced in
" any State-court against an *alien*, and the matter
" in dispute exceeds the aforesaid sum of five hun-

* This law was passed on the 24th of September 1789. See the Laws of the United States, vol. i. p. 56.

“dred dollars, exclusive of costs, to be made ap-
 “pear to the satisfaction of the Court; and the
 “defendant shall at the time of entering his ap-
 “pearance in the said State-court, file a petition
 “for the removal of the cause for trial into the
 “next Circuit Court of the United States, to be
 “held in the district where the suit is pending, and
 “shall offer good and sufficient surety for his en-
 “tering in such Court on the first day of its session,
 “copies of said proceedings against him, and also
 “for his there appearing and entering special bail
 “in the cause, if special bail was originally requi-
 “site therein, it shall then be the *duty* of the State-
 “court to accept the surety, and *proceed no further*
 “in the case.”

Such is the provision which the constitution and the laws of the United States have made for the security of the property of aliens; and whoever knows any thing of America, whoever is in the least acquainted with the national partialities and antipathies which mark the words and the conduct of but too many of the rulers of the individual States, must at once perceive that such provision is absolutely necessary. In Pennsylvania, for instance, it was notorious, that all the influential officers of the government, executive and judiciary, bore an implacable hatred against Great Britain, and all her *loyal* subjects; and though a *jury* stood between these rulers and the British subject, yet it was equally notorious, that that jury must be chosen by a man, who held his lucrative office *during the pleasure* of the rancorous Governor.

In such a state of things, what justice had a Briton to expect in the Courts of Pennsylvania? — Besides, there is an absolute absurdity in his being compelled to plead in those Courts; for who ought to

to administer justice to an alien, but that government who makes treaties, and who maintains all the national intercourse, with the sovereign of that alien? What does His Britannic Majesty, or what do his subjects, know of the government, or of the courts, of Pennsylvania? They may hear of them, indeed, and they may stare at their transactions; but that is all. When a British subject contemplates on a residence, or on placing his property in the United States, he looks up for security to the government of those United States; and in order to estimate the security, where should he look but into the constitution and the laws, on which alone that security depends?

But if British subjects in general were insecure in the Courts of Pennsylvania, how much more insecure was I, against whom it was well known that not only the Governor, his Secretary of State, and Attorney-general, but even the Chief Justice, who was to preside at the trial, had a personal and mortal grudge? I therefore resolved on removing the cause, notwithstanding the repeated remonstrances of my lawyers, who made use of every argument that could be thought of, to persuade me to abandon my intention. They were fully of opinion, that there was no danger in the Supreme Court of Pennsylvania, and that declaring myself, in open court, a subject of the King of Great Britain, would be tantamount to a declaration that monarchy was preferable to republicanism, and would of course not only be very offensive to the Court before whom such declaration was made, but would inevitably tend to render me odious in the eyes of the people of America, and to weaken the force of all my future publications.

My

My lawyers were Mr. Thomas and Mr. Edward Tilghman. When this advice was given, I had every reason to suspect the former of the basest treachery ; but in the fidelity of the latter I had then, as I still have, the most implicit confidence. The reasons, however, on which the advice was grounded, were far from being satisfactory to me. Declaring myself the subject of my sovereign was no more than the formal assertion of a truth that did me great honour ; it was saying nothing for, or against, either monarchy or republicanism ; and as to its giving *offence* to the Court, or to the people of America, the idea appeared to me perfectly absurd. What ! said I, you enter into a solemn treaty with my King, in which treaty you recognise my right as a British subject to come and live, and carry on trade amongst you, in return for which recognition you receive an equivalent ; and you have, after this, the assurance to tell me, that I must forbear to plead my title of British subject, forego the protection it offers me, and passively submit to injustice and ruin, lest the Court and the people of America should be *offended* ! What, added I, would you say, were such advice as this given to an American living in the British dominions ? What would you say, were he told, that to disown and forswear his country were the only means of avoiding legal injustice and public odium ? And what, in the name of God ! what pretensions has an American to superiority over a Briton ? Is his country more dear to him than mine is to me ? Are his fellow-citizens more honest and more generous than my fellow-subjects ? are they more famous for learning and for noble deeds ? Are his rulers more powerful, more wise, more magnanimous, or more just, than my sovereign, who, though his fleets command the ocean, though he is the arbiter of nations and the acknowledged saviour of the civilized world, makes his chief glory consist in
being

being the defender, the friend, the father, of his people?

In vain was I told that my plea was without precedent; and that it had been made by no British subject since the revolution. If this were the case, I thought it was high time that it should be made, and that we should cease to accept of safety and respect on such degrading conditions. Accordingly, at the first meeting of the Supreme Court of Pennsylvania I presented, in compliance with the law above quoted, the following petition, which I now copy from the record.

Benjamin Rush	}	Supreme Court of Pennsylvania, Case December Term, No. 3.
v.		
William Cobbett.		

To the Honourable the Supreme Court of Pennsylvania.

The Petition of William Cobbett the Defendant in the above action, an alien, and a subject of the King of Great Britain, humbly sheweth *,

That he is sued in the action above mentioned, in which the matter in dispute exceeds the sum or value of five hundred dollars, exclusive of costs; that he is desirous to remove the said cause for trial into the next Circuit Court of the United States, to be holden for the district of Pennsylvania, and hath good and sufficient security, ready here in Court, to engage for his entering in said Circuit Court, on the first day of its session, a copy of the process in the said action agreeably to the Act, entitled, "*An Act to establish the judicial Courts of the United States*," and also for his appearing in the said Circuit Court: He therefore prays the Honourable the Court, that security may be taken for the

* "Forgive me, that I am meek and gentle with these butchers!"
SHAKESPEARE.

purpose aforesaid, and that the said cause may be removed to the said Circuit Court of the United States accordingly.

Philadelphia,
30th Dec. 1797. }

WILLIAM COBBETT.

William Cobbett, being duly sworn, saith that the facts within stated are true.

30th Dec. 1797.

WILLIAM COBBETT.

The consideration of this petition was put off to the next session, which was held in March 1798. But before I proceed to relate the fate of it, I cannot help remarking on the sensations which its presentation produced in the Court and the auditory. It was towards the evening of the last day of the session, when Mr. Thomas, albeit unused to the modest mood, stole up gently from his seat, and in a faint and trembling voice, told the Bashaw M'Kean, that he had a petition to present in behalf of William Cobbett. For some time he did not make himself heard. There was a great talking all round the bar; Levi, the lawyer, was reading a long formal paper to the Judges, and the Judges were laughing over the chit-chat of the day. Amidst the noisy mirth that surrounded him, there stood poor Thomas, with his papers in his hands, like a culprit at school, just as the boys are breaking up. By and by, one of those pauses, which frequently occur in even the most numerous and vociferous assemblies, encouraged him to make a fresh attempt. "I present," says he, "may it please your Honours, a petition in behalf of William Cobbett." The moment the sound of the word *Cobbett* struck the ear of M'Kean, he turned towards the bar, and having learnt the subject of the petition, began to storm like a madman. A dead silence ensued. The little scrubby lawyers (with whom the Courts of Pennsylvania are continually crowded) crouched down for fear, just like

like a brood of poultry, when the kite is preparing to pounce in amongst them; whilst hapless Thomas, who stood up piping like a straggled chicken, seemed already to feel the talons of the judicial bird of prey. He proceeded, however, to read the petition, which being very short, was got through with little interruption. When he came to the words, "*subject of his Britannic Majesty*," M'Kean did, indeed, grin most horribly, and I could very distinctly hear, "*Insolent scoundrel!*"—"damned aristocrat!"—"damned Englishman!" &c. &c. from the mouths of the sovereign people. But neither these execrations, nor the savage looks that accompanied them, prevented me from fulfilling my purpose. I went up to the clerk of the court, took the book in my hand, and holding it up, that it might be visible in all parts of the hall, I swore, in a voice that every one might hear, that I preserved my allegiance to my King; after which I put on my hat, and walked out of Court, followed by the admiration of the few, and by the curses of the many.

The consideration of the petition was, as I before observed, postponed till March term; which gave kite M'Kean time to ruminate on the novel adventure. On the one hand, was a violation of the constitution and laws of the general government; on the other, the escape of his prey. "Of two evils," says the proverb, "choose the least;" and kite M'Kean chose on this occasion, just as any other kite would have chosen. When the Court met, he did, indeed, listen for about an hour to a sort of contention, which Thomas and Hopkinson called *law-argument*, and which was full as edifying, though not quite so entertaining, as the disputes with which I had frequently been delighted, between Punchi-
nello

nello and the Devil. While the lawyers were *arguing*, the Judges were engaged in a conversation, which, from the marks of risibility apparent on their countenances, seemed to be much more diverting than the contest between the puppets of the bar. When, therefore, this pleasant conversation was over, M'Kean, turning his head towards Hopkinson, bawled out : "*Ha'nt you most done ?*" This put an end to the *law argument*, in a moment. No showman, with the help of his wire, ever produced more ready or more implicit obedience ; and kite M'Kean now hastened to put an end to the farce, by declaring, without the least hesitation, without consulting his associates, and without giving any reason whatever for his decision, *that the petition of William Cobbett should not be granted* *.

Such is the manner in which *written* constitutions are observed ! That indefatigable constitution-grinder, Tom Paine, told his silly partisans in Eng-

* READ THIS NOTE !—As I was going into the Court-house to hear this decision, I met *Mr. Coale*, a young man who lived and studied with Hopkinson, the lawyer of Rush. After the usual interchange of civilities, the following dialogue ensued, the correctness of which I am ready to vouch for upon oath.

Coale.—What are you doing here ? You are going to remove your cause, are you not ?

Cobbett.—Yes.

Coale.—Then you won't succeed.

Cobbett.—Why ? How do you know I sha'nt ?

Coale.—Why, *the Court are against you*, I can tell you that.

Cobbett.—What ! have they decided then before they have heard the parties ? They surely cannot be such barefaced rascals ?

Coale.—Well ! you'll see.

And sure enough I did see in a very little time.—Now, let the reader observe, that this *Mr. Coale* was in all the secrets of the lawyer of Rush ; let him compare *Coale's* prediction with the decision of the Court, and with the manner in which that decision was given ; and then I leave him to form his own judgment of the motives from which the petition was rejected.

land, that they had *no constitution at all*; and this he represented as a most insupportable grievance. "Now," says he "in America it is not so. If you ask an American citizen whether a certain procedure be constitutional, or not, he takes down the book from the shelf, opens it, turns to the article that treats of the subject in question, and gives you an answer in a moment."—Very true, Thomas: so you see, I took down my copy of the constitution and of the constitutional law; I turned to the article and the section that treated of the subject in question, and I prayed the Judges to grant me my petition accordingly; but the Judges laughed at me and the constitution too!

But, says the reader, is there no redress in such cases?—None at all.—The constitution, which has made, with aliens, this solemn covenant for the security of their property, has made no provision for carrying it into effect, in opposition to the will of such men as M^r Kean. Indeed there seems to be an intentional omission here. The Federal Government promises protection to every alien; but in case he should be oppressed by the State Governments, it takes care, *by omitting to provide for redress*, to shift all responsibility from itself. Had I petitioned the Chief Justice of the United States to quash the proceedings against me, he would have replied (if indeed he had given me any answer at all), that he had no controul over the Courts of Pennsylvania, any more than over the Court of King's Bench in England; and were I now to petition the President to show him how I have been injured by a violation of the constitution, and to beseech him to give me redress, his reply would be similar to that of the Chief Justice; he would tell me that the government of Pennsylvania is a government totally independent of him, and that he can in no way undo what it or its
judiciary

judiciary does. This is but too true ; but does this diminish my loss ? Does it do away the oppression ? If the Federal Government has not the *power* to protect an alien, it should not *promise him protection*. The government has, by its constitution and laws, proclaimed to foreign nations, that the property of aliens is under the safeguard of its Courts ; and when these aliens are harassed and ruined by the unjust and tyrannical proceedings of the State Governments, shall the Federal Government get rid of its responsibility by pleading its want of power ? The government of the United States has stipulated with my sovereign, that his subjects (and I amongst the rest) shall have a right to live and carry on business here, being subject to the laws of the country, which laws provide that I shall have a right to remove my cause into the Federal Courts. And shall this government now say, that it is not responsible for my having been deprived of this right ? If this be the case, neither would it have been responsible for the conduct of the governor of Pennsylvania, had he banished me from the State. To *stipulate* always implies the power to *fulfil* ; any other idea of stipulation is absurd ; and if the power to fulfil does not exist, to stipulate is to delude.

The vindictive Judge of Pennsylvania having thus determined not to let go his grasp, I was compelled to submit to his jurisdiction, with very little hope of escaping a ruinous decision. I did, however, take every precaution that was in my power ; I employed Messrs. Edward Tilghman and Wm. Rawle as my counsellors, and to them I afterwards added Mr. Harper, a man on whose talents and whose spirit I placed a perfect reliance*. The necessary steps were also taken to

* Never was a man so grossly deceived in another as I was in this Harper.

insure a special jury, who, it was thought by my lawyers and my friends, would be a sufficient protection against the intrigues of the plaintiff and the tyranny of the Court.

At the next term, Sept. 1798, I was served with a jury list, which I struck; but the trial was put off. I was served with another jury list at December term, 1798; with another at March term, 1799; with another at September term, 1799; and at every term, though the juries were always struck by me, and though I was always ready, the trial was put off. At last, on the 13th of December 1799, it was resolved to bring it to issue. The moment I saw the *jury-list*, "Ah!" said I, to a friend that happened to be with me, "the action of Rush is to be tried this "time." We looked over the list again and again, and after the most mature consideration, we could find but seven men out of the forty-eight, whom we thought fit to be trusted on the trial; but as I had the power of rejecting no more than twelve, there were left, of course, twenty-nine whom I disapproved of, to the seven whom I approved of; and as every one of these seven was struck off by Rush, there remained not a single man on the jury, in whose integrity I had the slightest confidence*.

But there were other circumstances highly advantageous to my adversary. M'Kean, the kite-like Chief Justice, who is better known in England under the title of the *Democratic Judge*, was now

* Observe, reader, that this is *republican justice*! A defendant in England would think it very odd, that the plaintiff should have his choice out of *five juries*. Poor John Bull's ideas are confined, as yet; but were he once to suffer Citizens Erskine, Gray, and Co. to reform his Parliament for him, and place him under a sovereign people instead of a Sovereign Monarch, John would soon become enlightened, his notions would expand, and he would learn to despise the prejudices of his forefathers.

become

become *Governor* of the State, and had, by the early exercise of his power, struck terror into all officers under his controul. *Shippen* was the senior Justice on the bench of the Supreme Court, and he was in eager expectation of succeeding to the post of Chief Justice ; but M'Kean kept him in suspense, in a sort of state of probation, *till the action of Rush against me should be decided* !!!*

Singularly favourable, however, as these circumstances were, there was another still more favourable wanted to encourage the American Sangrado to push the cause on to trial : which was, *my absence from Philadelphia*. I had several months before publicly signified my resolution to quit Pennsylvania, if M'Kean should be elected Governor of the State ; and every one knew I should be as good as my word. Indeed, it was known that my books, furniture, &c. &c. were already sent off to New York ; but I remained in the neighbourhood of the city (where I was seen every day), in order to be present at the trial, if it should come on. On the 7th of December there was no prospect of the cause being brought to trial ; on the 8th, therefore, I came off for New York, where my affairs required my presence. On the 11th my correspondent wrote me that the cause was put off to another court ; but, the *very next day*, it was all at once resolved to bring it to trial immediately. This sudden change was produced by an advertisement of mine, signifying *my arrival at New York, and my resolution to drop the*

* I have a collection of materials which are intended to exhibit to the people of England a comparative view of the British and American governments in all their different branches. If I should live to finish this work, I shall clearly show, that no court of justice (as it is called) ever was, or can be, except by mere chance, impartial, under the American government.

publication of Porcupine's Gazette. Sure, therefore, of all the advantages to be derived from my absence, and relieved from all apprehensions on the score of my future writings, the dastardly wretches at last ventured on the execution of their long-meditated revenge *!

In what manner the cause was conducted, on the part of Rush's lawyers, has already been noticed. The evidence has also been examined and *exposed*: it therefore only remains for me to insert, and to make a few comments on the charge of Judge Shippen.

GENTLEMEN,

THIS is an action brought by the Plaintiff against the Defendant for writing, printing, and publishing, divers scandalous libels, to defame and vilify him. The defendant has pleaded that he is not guilty;—his counsel, however,

* I have before observed, that Thomas, my lawyer, was *bribed*. I have the most satisfactory proof of this, and I will in my *Biography of the American Bar*, which shall appear in a future number of the *Rush-Light*, give a full account of the matter.

Hopkinson, the principal tool of Rush, went to Mr. Fenno's father in the summer of 1798, and advised him to prevail on his son, the present Mr. John Ward Fenno, to compromise with Dr. Rush. "As to Cobbett," said he, "*he is to be ruined.*" Mr. Fenno scorned the conditions.

Mr. Edward Tilghman told me, that the very Judges who sat on this trial, had declared their resolution of "*pinching*" the *first* slanderer who should come into their clutches. And, observe, that they said this *long after* the action was brought against me, and also *long after they knew* that *I was the first* upon the docket for slander: so that their previous declaration appears clearly to have been thrown out, in order to give the colour of *impartiality* to the decision, which they meditated *against me*.—Let me not be accused of making an improper use of the information given me by Mr. Tilghman; he did not tell it me as a communication made to him in confidence; he did not give it me as a secret: and, indeed, it was *publicly spoken of* in the city, and was intended to be spoken of, for the purpose before mentioned.

have

have acknowledged the publication of the papers, which otherwise it would have been incumbent on the plaintiff to prove. The question, therefore, will be, whether they amount in law to defamatory libels, or not?

By the law and practice in England, in the case of libels, the only task of the Jury is, to judge of the fact of publication, and the truth and fair application of the innuendos; the Court, as judges of the law, reserving to themselves the sole power of deciding whether the paper amounts to a libel, or not. But in this State, by the special directions of our constitution, the Jury possess the power of judging both of the law and fact, under the direction of the Court.

A libel is defined by the law, to be the malicious defamation, expressed either in printing or writing, or by signs or pictures, tending to blacken either the memory of one who is dead, or the reputation of one who is alive, or to expose him to public hatred, contempt, or ridicule. This offence may be punished, either by indictment at the suit of the commonwealth, or by a civil action at the suit of the party injured. When the prosecution is by indictment, the Court only are to direct the punishment; but in a civil suit, the damages are to be assessed solely by the Jury.

The charges laid against the defendant in the declaration are various; but they may be reduced in substance to the following:—That he repeatedly calls the plaintiff a quack, an empiric; charges him with intemperate bleeding, injudiciously administering mercury in large doses in the yellow fever; puffing himself off; writing letters and answering them himself; styling him the Sampson in medicine; charging him *with murdering his patients, and slaying his thousands, and tens of thousands.*

The counts laid in the declaration are fully proved by the publications, which are certainly libellous. In what manner do the defendant's Counsel repel these proofs? Not by justifying the truth of the matters charged against Dr. Rush, *which on the contrary they have repeatedly acknowledged to be false*, but by analyzing the several allegations in the newspapers, and from thence drawing a conclusion that no intentional personal malice appears, which they say is the essence of the offence.

offence.—Malice refts in the heart, and is only to be judged of by the words and actions of the party ; the words themfelves import malice, and in that cafe the proof lies on the defendant to fhew the innocence of his intentions ; if he has done that to your fatisfaction you will acquit him : but this is chiefly founded on the allegation that the attack was meant to be made on Dr. Ruff's fyftem, and not on the man ; *it unfortunately appears that not the leaft attempt is made to combat the Doctor's arguments with regard to the fyftem itfelf, but the attack is made merely by grofs fcurlous abufe of the Doctor himfelf. Added to this, one of the witneffes proves a declaration made by the defendant, that if Dr. Ruff had not been the man he fhould never have meddled with the fyftem.*

Another ground of defence is of a more ferious nature, as it leads to an important queftion on our conftitution — it is faid that the fubject of difpute between the plaintiff and defendant was a matter of public concern, as it related to the health and lives of our fellow-citizens, and that, by the words of our conftitution, every man has a right to difcufs fuch fubjects in print. The liberty of the prefs, Gentlemen, is a valuable right in every free country, and ought never to be unduly reftained ; but when it is perverted to the purpofes of private flander, it then becomes a moft deftructive engine in the hands of unprincipled men. The utmoft purity and integrity of heart is no fhield againft the fhafits and arrows of malice conveyed to the world by printed publications. Verbal flander may be frequently very injurious ; but flander in writing, or print, being more generally diffeminated and more durable in its effects, is confequently infinitely more pernicious and provoking. Our ftate conftitution of 1790 contains certainly very general words with relation to the right of a citizen to print his thoughts, and offer them to the confideration of the public ; but it at the fame time guards againft the generality of the privilege, by exprefsly declaring, that every perfon availing himfelf of the liberty of the prefs, fhould be refponfible for the abufe of that liberty ; thus fecuring to our citizens the invaluable right of reputation againft every malicious invader of it.

Printed publications attacking private charaſter, are confidered with great reafon by the law as a very atrocious offence,

sence, from its evident tendency to the breach of the public peace—if men find they can have no redress in our courts of justice for such injuries, they will naturally take satisfaction in their own way, involving perhaps their friends and families in the contest, and leading evidently to duels, murders, and perhaps to assassinations.

The principal subject of consideration with the Jury will be what damages they are to assess. On this subject you are the **ALMOST** uncontrollable judges—it is your peculiar province:—The Court have indeed the power to order a new trial where damages are excessive; but in cases of torts and injuries of this kind, the law books say the damages must be so outrageously disproportionate to the offence, as at first blush to shock every person who hears of it, before the Court will order a new trial.

Every one must know that offences of this kind have for some time past too much abounded in our city; it seems high time to restrain them—that task is with you, Gentlemen. To suppress so great an evil, it will not only be proper to give compensatory, but exemplary damages; thus stopping the growing progress of this daring crime—at the same time the damages should not be so enormous as absolutely to ruin the offender.

I hope no party considerations will ever have place in this Court, in the administration of justice—and I entreat you, Gentlemen, to banish them, in considering this subject, entirely from your breasts.

Peter Porcupine to Judge Shippen.

SIR,

The Charge which you gave against me, on the 14th of December last, has given rise to a very interesting question; to wit:—which is its prominent characteristic, *stupidity* or *malice*?—This is a question far too knotty for me to presume to decide; but with all due submission to your Honour and the honourable

honourable Judge Brakenridge*, who sits on your right hand; I think I may venture to throw some light on the subject; and in doing this, I will endeavour to forget your private character, that it may not extort from me language derogatory to my own.

You say, "By the law and practice in *England*,
 " in the case of libels, the *only task* of the Jury is
 " to judge of the fact of publication, and the truth
 " and fair application of the innuendoes: the Court,
 " as judges of the law, reserving to themselves the
 " sole power of deciding whether the paper amounts
 " to a libel, or not. But, *in this State*, by the special
 " directions of our constitution, the Jury possesses the
 " power of judging both of the law and fact, under
 " the direction of the Court."

Pray, Sir, what are we to call this? Are we to consider it as one of those stale tricks, which have been so long practised for the purpose of making the Americans believe that they enjoy *more liberty* than their *former* fellow-subjects enjoy? or, must we look upon it as intended to flatter the Jury, and give them a high opinion of their power? If the former; if your intention were merely to keep the poor sovereign people in good humour with their present rulers, there is not much to be said: self-preservation is the first law of nature. But if your design were, by puffing up the pride of the Jury, to embolden them to gratify your and their private wishes, at the expense of justice; if this were your motive, what do you deserve?

Be your motive, however, what it might; whether the object you had in view were to obtain and

* This man was, a very little while ago, *pardoned* upon condition that he would turn State's evidence!!!—This, reader, is a *Republican* Judge.

secure a good post for yourself, or to ruin me, whatever might be your end, your means were most vile; your statement respecting "*the law and practice of England*" was a shameful *falsehood*, and would have been a disgrace to any other Bench than that from which it came.—"Whereas," says the English law, "*doubts have arisen, whether on the trial of an indictment or information, for the making or publishing any libel, where an issue or issues are joined, between the King and the defendant, or defendants, on the plea of Not guilty pleaded, it be competent to the Jury impannelled to try the same, to give their verdict upon the whole matter in issue: be it therefore declared and enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, That, on every such trial, the Jury sworn to try the issue, may give a general verdict of Guilty or Not guilty upon the whole matter put in issue upon such indictment or information; and shall not be required or directed, by the Court or Judge before whom such indictment or information shall be tried, to find the defendant or defendants guilty, merely on the proof of the publication by such defendant or defendants of the paper charged to be a libel, and of the sense ascribed to the same in such indictment or information.*"—Act 33 Geo. III. c. 60. A. D. 1792.

This act was passed in 1792; but you will observe (if, indeed, you understand the meaning of the words), that it is a *declaratory* act; an act made to remove doubts, to explain and to declare what *was then*, and what *always had been*, the law of the land. You will observe too, if you are capable of comprehending the distinction, that this act declares the

the right of the Jury to decide upon *the whole* matter put in issue even upon an *indictment* or *information*; from which you will perceive, that this right in civil actions never was disputed, never was even a matter of *doubt*. So that it appears, Mr. Shippen, that your boasted Pennsylvanian Constitution has given the people no *new* rights; it appears that the sovereign citizens, whom you help to rule, enjoy, even nominally, no greater liberty of the press than they would still have enjoyed, had they remained the subjects of a king; and it necessarily follows, that you were wretchedly ignorant of both the statute and common law of England, or that you advanced a wilful and most barefaced *falsehood*.

Your definition of the law, and your enumeration of the charges laid against me, which are really too stupid to deserve a comment, conclude with asserting that the declaration charges me with having accused Dr. Rush "with *murdering* his patients, and "slaying *his* thousands and tens of thousands."—What could induce you to make this false, this impudent assertion? Neither the word *murder*, nor any of its derivatives, nor any word that is synonymous with it or any one of its derivatives, is to be found in the publications laid in the declaration. The passage to which you evidently allude is, I trust, fully justified in the third Number of the Rush-Light; but lest that number should have been kept from your sight by the operation of that *free* constitution which you so consistently boast of, I shall insert it here:—
 " Dr. Rush, in that emphatical style which is peculiar to himself, calls mercury the Sampson of
 " medicine. In his hands, *and in those of his parti-*
 " *fans*, it may, indeed, be justly compared to Samp-
 " son; for I verily *believe*, that *they* have slain more
 " Americans with it, than ever Sampson slew of the
 " Philistines. The Israelite slew his thousands, but
 " *the*

“ *the Rushites have slain their tens of thousands.* ”— Now, is this as you say it is, charging Dr. Rush “ with *murdering* his patients, and slaying *his* thousands and tens of thousands ? ” So shameful a perversion of a man’s words, had it been made use of by a *pleader*, in England, would have been severely reprov’d by the Court ; what then will Englishmen think of a *Judge* who could be guilty of it ? And what will they, what must they think of the government under which such a man is a Judge ?

Continuing in your pleader-like strain, you observe that the counsel of the defendant do not repel the charges brought against him, “ by justifying the truth of the publications ; but that, on the contrary, they have *repeatedly acknowledged those publications to be false.* ”—It is true, indeed, that my counsel, to their shame be it spoken, did not justify the truth of the publications laid in the declaration ; but that they *might* have justified, every man in America knows well ; and you knew, that they *would* have done it, had their client not been an Englishman, and had they not, like you, been in fear of M’Kean and of your brother slaves who filled your *tribunes* and crowded round your bench*.

In your zeal for the plaintiff, you did, however, go too far ; for my *counsel*, tame and submissive as they were, did not “ repeatedly acknowledge the publications to be *false.* ” Neither Mr. Tilghman nor Mr. Rawle did, in any one instance, make such an acknowledgment. Nor was even the trimming

* The few faint attempts that were made, by Messrs. Tilghman and Rawle, to repel the abominable aspersions which were cast on my character and conduct, were replied to by hissing and cursing from the sovereign people in the gallery and in the area of the court-house. Nor did this most scandalous behaviour receive any reproof from the Court.

mob-courting Harper guilty of baseness and treachery to the extent that you have imputed to him. He did, indeed, say more than once, that he "*believed*" the publications were "*very untrue*;" but he made no *unqualified* acknowledgment of their being *false*. He went far enough, in all conscience, against a cause, which he was well paid to support: his conduct wanted no colouring: you might, therefore, have spared the daubings of your awkward brush*.

"It appears," say you, "that *not the least attempt* " is made [in the publications against Rush] to " combat the Doctor's arguments with regard to " the *system itself*." If you had been candid, if you had remembered your oath, you would have observed further, that the publications for which I was sued, made only *a part* of those which appeared against Rush and his system of depletion; you would, therefore, have said nothing on this head, unless you had found, upon an examination of Porcupine's Gazette, from which the pretended libels were extracted, that I had never accompanied these pretended libels with serious arguments against the wild and destructive opinions and practice of the plaintiff. "But," say you, "added to this, one of the witnesses *proves* a de- " claration made by the defendant, that *if Dr. Rush* " *had not been the man, he should never have meddled* " *with the system*."—Atrocious falsehood!—The

* The conduct of Harper was truly abominable. He engaged in my cause with all apparent alacrity; I have heard him a hundred times reprobate the practice of Rush, and express the utmost contempt for his character. But the fact is, the mean wretch thought I was going down, he saw the tide, as he thought, turning against me, and he basely deserted his duty, in order to preserve his popularity. It has happened, however, as it ought to happen; for I have the satisfaction to learn, that even in Philadelphia he is universally detested for his treachery.

words of the witness, Dr. Coxe, as reported in the account of the trial, are these: "He (the defendant) replied, that he did not *believe* he should ever have said *so much* on bleeding and mercurials, if Dr. Rush had not been the author of it."—Was this declaring, *that if Dr. Rush had not been the man, I "NEVER should have MEDDLED with the system?"* When you summed up this evidence, were you thinking of the office you filled, or of that which you were in hopes of filling? Were you afraid of being outstripped in the honourable course by either of your worthy compeers? It must be confessed, that such a fear was not unreasonable; for so well are you matched, that had you started together, it is a moot point with me which of the three would have won the prize.

But a misconstruction of the publications, and a perversion of the evidence, did not satisfy you: you seem to have been still afraid, that in spite of such cheering encouragement the Jury might have some scruples; and, therefore, you took care to conclude with giving them an assurance, that, provided they laid on damages enough, their verdict should be approved of by you.—"The principal subject of consideration with the Jury will be," say you, "*what damages they are to assess.*" You then proceed to tell them that they are "*the almost uncontrollable judges on this subject,*" and that, "*though the Court has it in its power to order a new trial in case of excessive damages, yet, that in cases of torts and injuries of this kind, the law books say the damages must be so outrageously disproportionate to the offence, as, at first blush, to SHOCK every person who hears of it, before the Court will order a new trial!!!*"

Bravo! Vivat Respublica! Huzza for "our glorious
 NO. IV. A A " rious

“ *rious* revolution!” Huzza for the sovereign people! Vive la liberté!—But in the midst of all this rejoicing I had almost forgot to ask you, *what* “*law*” “*books*” you found this maxim in. In those of Robespierre and Fouquier Tinville, I suppose; or, perchance, in those of Pennsylvania, or of Algiers. Find it where you will, however, you have applied it, and you and your country are entitled to all the honour it confers. I would give a thousand dollars if Old Price were yet alive, to have an opportunity of sticking this Charge of yours in one of the curls of his wig.—Here, you wayward and discontented Britons, who are hankering after republicanism; look here! Here you see a complete specimen of the blessings of *liberty* and *reform*! Were one of your Judges to declare, that, in order to induce him to grant a new trial, the punishment for calling a man a quack must be so outrageously cruel, as, at *first blush*, to SHOCK every person who hears of it, you would stone him to death; you would shun his touch, as you would the touch of a hangman: but were you in Pennsylvania only for one month, were you once “ameliorated” in the philanthropic city of Philadelphia, were you sovereign citizens instead of subjects, you would listen to him as patiently and submissively as a penitent does to his father confessor.

Begging your *Honour*’s pardon for this digression, I return to you and your Jury. Having promised them that there should be no check upon their rapacity, you dismiss them with putting into their mouths a pretext for their conduct. “Every one,” say you, “must know, that offences of this kind have, *for some time*” “*past*, too much abounded in our city; it seems high” “time to restrain them—that task is with you, *Gentlemen*. To suppress so great an evil, it will not only” “be proper to give *compensatory*, but *exemplary* da-
“ mages;

“ mages; thus stopping the growing progress of
 “ this daring crime—at the same time the damages
 “ should not be so enormous as *absolutely* to ruin the
 “ offender.”

The doctrine of *exemplary* damages is new, and it certainly is as efficacious an instrument of oppression as ever was devised. The very word *damages* excludes every idea of *punishment*. It implies *compensation* for *injuries*; and no Jury can, without being sworn, give a farthing more than what they believe to be *the amount of the injury*; for, if *example* be the object of prosecution, the process ought to be by indictment, or information.

It has sometimes happened, that actions, similar to that of *Rush*, have been brought by noblemen and gentlemen in England, who have preferred the civil to the criminal process, merely to challenge an investigation; because the former allows the defendant to justify the truth of his words, which the latter does not. The damages, if any are given in such a case, must be given for the sake of *example*; for it rarely happens that the slander is productive of any real injury to the plaintiff. Such were the actions brought by Lord Sandwich, in 1773, and by the Right Hon. William Pitt, in 1786, in both which cases damages were given, though it was next to impossible that the plaintiffs could have sustained any injury. But, Mr. Shippen, there is some little difference between these noblemen and a boasting inventor of purging powders. Neither Lord Sandwich nor Mr. Pitt could receive a *compensation*; yet, as they were charged with malversation in office, a civil process was necessary to clear up their characters: and, as neither fine nor imprisonment could take place upon such an action, damages were given for the sake of *example*. But in the case of a bleeder

or powder-doctor, all the Jury had to do, if they found the publication false and malicious, was, to ascertain, to the best of their judgments, the amount of the real injury the fellow had sustained, and to assess, as damages, a sum just to that amount, and no more.

But whatever may have been the custom in England, respecting the legality of assessing exemplary damages, it is most certain that, as to the *sum* to be assessed, no Judge ever attempted, no Judge ever dared attempt, to dictate to the Jury. The following extract from a charge of Lord Mansfield, shows how careful he was not to encroach on the exclusive province of the Jury to estimate damages. “ I will
 “ not say a word to you about the damages. I am
 “ sure no observations on any side can occur, which
 “ you are not capable of making yourselves. You
 “ will take the paper out with you, and will consider all the circumstances of the case, of a public
 “ or private nature.”—This charge was delivered in an action of *scandalum magnatum* (defamation of a nobleman), brought by Lord Sandwich against the printer of the London Evening Post, for the publication of a piece signed Alfred, on the 2d of Feb. 1773, in which his Lordship, then first Lord of the Admiralty, was falsely accused of having exposed to sale the office of Commissioner of the Navy for the sum of 2000*l*. And this instance of Lord Mansfield’s forbearance is the more applicable and forcible, as he was always charged (though I believe very unjustly) with bending the law to favour the ministerial side of the question, and to extend the power of the Judges as far as possible. If he could have found any precedent, or have invented any plausible motive for encroaching on this undoubted province of the Jury, he would not, it is to be presumed, have scrupled to use it on such an occasion.
 Another,

Another, and still more striking, contrast to your charge is to be found in that of Lord Mansfield's, delivered in the action of Mr. Pitt against the printers of the General Advertiser and the Morning Herald, who accused him, he being at the time Chancellor of the Exchequer, of *gambling in the stocks with the money of the nation*. Lord Mansfield closed his charge thus: "The assessing of the damages is *entirely* in your province. *I shall not say a word upon it*. You will consider them under all the circumstances of the case, the malignity and the extent, and, for the sake of example, you will give those damages *you think proper* *."

This is the language of an *English* Judge. How different is it from yours! Lord Mansfield tells the Jury, that to estimate the damages is *entirely* in their province; that he *shall not say a word upon it*. You tell your sovereign men, that they are, indeed, the *almost* uncontrollable judges of damages, and you promise them, that their verdict shall not be set aside, unless it be so outrageously cruel, as, at first blush, to *shock* every person who hears of it! The libel on Mr. Pitt was a most atrocious one, yet Lord Mansfield forbears to suggest the propriety of great damages, and tells the Jury to give what they think proper, for *the sake of example only*. But you call for damages *both compensatory and exemplary*; you urge them to bring upon the head of the defendant the consequences of both a civil and a criminal prosecution! You do, indeed, observe to them, that "the damages must not be so enormous as *absolutely* to *ruin* the offender." This was a wholesome caution: it was telling them how far they might go, without endangering the success of the scheme; it

* The damages given for *falsely* accusing Mr. Pitt of this heinous offence was 250*l.*—British printers, bless your kind stars!!

was saying to them, “ Ruin him in effect, but take
 “ care to do it in such a way as will not defeat our
 “ intention. Bilk him, embarrass him, break up
 “ his business, and plunge him into debt; but be
 “ careful not to let your malice so far overshoot the
 “ mark, as to leave us no excuse for confirming
 “ your verdict.”—This was pretty language from a
 Court to a Jury! The Jury followed your directions
 with great exactness, and the malignant slaves
 thought they had given me a deadly blow; but that
 blow, while it has had no effect on me, has recoiled
 with redoubled force on themselves, their accom-
 plices, and their city.

But your pretext for recommending a ruinous
 verdict, is, if possible, more atrocious than the re-
 commendation itself. “ Offences of this kind,”
 say you, “ have, *for some time past*, too much
 “ abounded in our city; *it seems high time to restrain*
 “ *them*—that task is with you, Gentlemen.”—So,
 because offences of the same kind *had abounded in*
the city, because they had passed unnoticed, because
 they had been tolerated, I was to be all but *abso-*
lutely ruined; I was to suffer for what all others had
 done, and also for the negligence of Courts and Ju-
 ries! Precious justice this!

Yes; offences, not of “ *this kind*,” but of a much
 worse kind, had, indeed, for a long time abounded
 in your city. Libels the most false, scandalous, and
 malicious; publications the most obscene and most
 impious, had long abounded, and do still abound;
 and had I shared in these publications, not a farthing
 of damages would ever have been given against me.
 But I was a British subject; I had defended the
 character of my King and country against the infam-
 ous calumnies that you and your associates suffered
 to be propagated; I had exposed the little despots
 of

of America; I had contrasted their character with that of the King, against whom they were continually endeavouring to revive the animosity of the people; and it was for this, and this alone, that you and your associates hated me. At the very moment when you gave this scandalous charge, when you called aloud for ruin on my head, you were perfectly convinced that I had rendered America essential services; you knew that my character was unblemished, and that my conduct, as a publisher, was singularly laudable; you knew that I never wilfully published a *falsehood*; you knew that, as a bookseller, I never gave circulation to a seditious, an irreligious, or an immoral publication, but that, on the contrary, I had constantly endeavoured to obstruct the progress of such works, and that I had been the patron of every effort to counteract their deleterious effects. All this you knew, and with all this in your mind, you uttered the malignant charge which I this day rescue from that oblivion to which its stupidity had condemned it*.

One fact only remains to be narrated, and a most valuable one it is. I beg every Englishman to pay good attention to it, and to bless God for not having placed him under the jurisdiction of an American Judge.

The trial was begun on the 13th, and the 5000

* The partiality of these people does not appear in its true light, till it is known that Mr. Fenno, who was sued at the same time, and for the very same pretended libel, has been suffered to go off without further notice. They hate Fenno for his royalist principles, but he being an *American*, they knew that it would be hard to find a Jury to assess heavy damages against him, and to have given 5000 dollars against me, while they only gave, perhaps, 100 against him, would have been too glaring a proof of their infamy. For the same reason the action against him will never be brought to issue.

dollar

dollar verdict was given on the 14th, of December. It is well known that, after every verdict, *four days* are allowed, previous to entering up the judgment, in order to enable the defendant to prepare for application for an arrest of judgment. On the 17th, therefore, my counsellor, Mr. Edward Tilghman, made a motion for a rule to show cause why the verdict and judgment should not be set aside for excessiveness of damages; which motion was rejected by you and your associates. Well might you reject it! for, on the 16th, the *day before* you refused the new trial, I was *actually arrested* for the 5000 dollars at New York! so that it appears, that the plaintiff and his counsel were *sure*, quite *sure*, that a new trial would not be granted two days, at least, *before* that new trial was moved for!—Vivat Respublica! Huzza for liberty and revolution!

“ And what do I care for all this?” say you. “ I have got the post of Chief Justice, and shall hold it; and in spite of all the exposures you can make, I shall still have the huzzas of the base herd of Americans*.”—That is true enough: I have not encountered the hopeless task of making any impression on you, or on the wretched beings by whom you are surrounded; but I know *where* I shall produce an impression; and though my labours may be slow in their operation, they will be sure and lasting in their effects.

W. COBBETT.

* When Shippen closed his charge, there was a *clapping of hands* amongst the people, who filled the galleries and the area of the Court-house; and when the verdict was pronounced, the joy of the malignant wretches broke out into *loud and repeated acclamations!* Nor was this joy confined to the herd of spectators; the shouting in the Court-house was the next day recorded by the news-printers, who exulted in this proof of the *zeal and justice* of their *fellow-citizens!*

The

The Rush-Light has already made some astonishing exposures respecting the much-boasted *liberty of the press*. It has many more to make. The mean arts and the abominable tyranny employed in Philadelphia, for the purpose of effecting the suppression of this work, surpass all that ever has been recorded of the detestable court of Star-Chamber. The governments of America appear to me to be approaching very fast towards absolute despotism. If a writer, like the author of the Pursuits of Literature, were in this country, he would be ruined, if not assassinated, in less than twelve months. The poor printers and booksellers are reduced to a degree of slavish dread hardly to be conceived; and to hear the language of the inhabitants in general, one would really imagine, that the bloody laws of Valentinian (on which M'Kean lately pronounced an eulogium) were in full force*.

* A few days ago, a paragraph appeared in a Philadelphia paper, recommending the passing of a law to punish the *tenders* and the *readers* of libels! This paragraph was, I am informed, written and published at the request of an officer under the federal government. Now let me ask, what the people of England would say to the editor of any of those papers that are called *ministerial*, were they to broach such a proposition as this? Would the public bear it? And is not its being borne *here*, without a murmur, a clear proof that the people have no true notion of liberty, and that they are amused with the *name*, while the *thing* is not known amongst them?

PORCUPINE'S REVENGE.

A Dialogue between Rush and Porcupine.

Rush. Master Peter, you see, with my twelve sov'reign men,
I have tipp'd you a squeeze for the strokes of your pen.
These twelve sov'reign men, now I no longer need
them,

How shall I reward?

Peter. Why, bleed them, Rush, bleed them!

Rush. But to the judge on the bench, so just and humane
(The worthy successor and tool of M^cKean);
To my lawyers who bellow'd so loudly 'gainst you,
To Hopkinson, Ingersol, Levi the Jew,
The half-quaker Lewis (who once was a carter),
And your faithful counsel, the mob-courting Harper;
To my volunteer witnesses, grateful young Mease,
To the poor Dr. Coxe, and poor granny Dewees
(Who gen'rously came, with no duty to urge them),
What return shall I make?

Peter. Why, purge them, Rush, purge them!

Enter Grave-Digger.

Gra.-Dig. By my soul, Master Peter, I think it too hard,
That with such folks as these I must fill my
church-yard.

Peter. Church-yard! honest fellow, my meaning's not such;
For, where a man's buried it matters not much;
And the great Dr. Mitchell (of bleeding renown)
Says, "let all human carrion be dragg'd out of town."

A TRAGEDY SCENE.

Enter SANGRADO, with the Rush-Light in his hand. He remains for about half an hour in stupid, sullen silence; and then, starting from his reverie, pours forth, in slow and melancholy accents, the following soliloquy.

Unthinking Doctor! wherefore did thy rage
 Urge thee with printer's prowess to engage?
 O, why from puffing to the law retire?
 Why for thyself construct the fun'ral fire?
 What though an Ingersol before thee stood,
 With dangling brush, to paint thee fair and good;
 A weeping Hopkinson, dear tender creature,
 Sobbing to wail the injuries of Nature;
 What though kind-hearted jurors press'd thee round,
 And philanthropic judges too were found;
 What though the gentle, just, and gen'rous crowd
 The verdict sanction'd with applauses loud;
 What though five thousand dollars were the prize,
 Which, in idea, gratify'd thine eyes?
 Say! could such lenitives relieve thy shame,
 Or reunite thee to thy shadow, fame?
 Could they kill Peter—whose vindictive art
 So well directs his venom to thy heart?
 Could they prevent exposure and disgrace,
 Or change the tincture of an Ethiop's face?
 Oh, no! they bade these hellish fires arise,
 And bound thee to the stake!—(*He dies.*)

A PORTRAIT OF A GOVERNOR.

Drawn by one of his Slaves.

BEFORE I exhibit this picture, I shall trouble the reader with a few explanatory remarks.—M'KEAN, from under whose government I thought it prudent

to retire in December last, had no sooner seized fast hold of the reins of power, than he began to lash, with a merciless hand, every man who had dared to oppose his election, and who happened to be placed within his immediate reach. The civil offices in Pennsylvania, such, for instance, as that of register, clerk of court, prothonotor, &c. &c. are very numerous, and are all held during the pleasure of the governor, who appoints and displaces without controul or advice. The greatest part of these offices were filled by men, who had rendered themselves more or less conspicuous during the late revolution; and who, being once on horseback, and finding riding much pleasanter than walking, through this vale of tears, had no inclination to dismount. They had all been appointed by Mifflin, who, though not destitute of malice, was a mere sot, capable of being soothed by the most stupid attempts at adulation. Most of these civil officers had served in a military capacity under him, and he felt that partiality towards them, which old comrades generally feel towards each other. When, therefore, a successor to their patron was to be chosen, they saw themselves in jeopardy. Two candidates offered, *Ross* and *M'Kean*. In the latter they remembered, indeed, an old revolutionist; but they also remembered, that he was not a Mifflin. Keen, vigilant, persevering, tyrannical, and vindictive, as they knew *M'Kean* to be, they were afraid to give him their support, lest they should have him for a master, and afraid to oppose him, lest they should be displaced. Being, however, at last, fully persuaded that *Ross* would succeed, they openly gave him their support. They were egregiously deceived; *M'Kean* was elected by a vast majority: and, though his great age was one of the objections they affected to have against him, he soon made them feel that he was not deficient in point of energy.

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The first step he took was to annul all the commissions, during pleasure, granted by his predecessor. He had previously obtained exact information respecting the electioneering conduct of every one of the civil officers, whom he had the power to displace, and according to this he made out his list of proscription. He swept the poor fellows off by dozens, with as little ceremony as a soul-feeding glutton brushes the flies from the meat which he is himself going to devour.

Many of these ousted patriots, all of them, indeed, who could write (and some of them who could not), began a most lamentable outcry against him. The newspapers were, and still are, inundated with their doleful addresses to the compassion of the people. Being, as they imagined, snugly quartered on the public for life, they had entirely forgotten the favourite maxim of republicanism—a *rotation in office!*

Amongst all these pitiful complainants, not one has come before the public with a worse grace than the writer of the following letter. He married one of Mifflin's bastard daughters, and with her he married two offices, those of clerk of the mayor's and orphan's courts of the city and county of Philadelphia; but M'Kean, not willing, I suppose, to tolerate polygamy in his dominions, has divorced him from two thirds of his spouses.

TO GOVERNOR M'KEAN.

Philadelphia, March 17, 1800.

AT length my case is decided, and I have received from your Excellency my dismissal from office, in direct and palpable violation of your promise made (*not to me, for I have no favours to ask of you*), but to the late Governor Mifflin, which,

which, although he is no more, can be ascertained by proof you dare not contradict. It is indeed a matter of no surprise, that the little regard you may have left for your character and veracity, in transactions of this kind, has yielded, after a short struggle, to the burning impulse of party rage and personal vengeance. Yet, if there were not many and irresistible evidences of your total disregard for every manly and just sentiment, when it comes in collision with your paltry and vindictive passions, I should suppose you have not without some difficulty made up your mind to my removal; and that now and then a consciousness of perfidy would stagger your resolution, and make you sensible of shame.—Let me repeat that I pretend to no claims upon your personal or political regard—I made no requests, and received no promises; *I had a right to none*, and I place this among the honourable circumstances of my dismissal: but to the late Governor you did make such promises; they are known to many; and your secretary, before the death of Mr. Mifflin, explicitly declared, not surely from his own authority, that *I would be continued in my appointments*. As a further proof that my removal was not at first intended, I received no circular letter, as those gentlemen did who were originally proscribed.—Whether the mean and guilty terror, looking to another election, and trembling before a supposed dangerous competitor, which induced you to make a promise so repugnant to your inclination, or the contemptible perfidy with which you have broken that promise, be the most debasing, is a question you may discuss at your leisure; but when death had removed the danger which was the basis of your engagement, I was satisfied you would not suffer yourself to be shackled with the obligation. Mine is not the only instance in which you have pursued this disgraceful course of trimming duplicity. I am acquainted with other cases in which the same sort of low degrading policy and insincerity have been used by you, which in due time will be exposed to the public eye.

When I looked through my native state, and beheld the victims that were falling on every side; when I saw you scouring over the land like an avenging fury; when I discovered that long, laborious, and faithful services in that revolutionary war, about which you prate so much; that unexceptionable official conduct, and the most amiable pri-

vate character; that no course of prudence and moderation at the late election; that nothing, in fact, but an active membership in your party could save—when you declared to a gentleman, “you are an unexceptionable character” and an excellent officer, *but you voted against me*—when old age, burdened with large and expensive families, was treated with scorn and consigned with insult to misery and want; nay, when the very tears that glistened in the eyes of the distressed seemed but to brighten your savage triumph, what had I to expect? an open and avowed opponent to your election, who had requested no friend to solicit, no foe to forbear; well knowing, that solicitation, whilst it pampers the base pride of a grovelling and vindictive mind, never disposes it to justice or moderation. When such men as ARNDT, GIBBONS, LINTON, READ, BOWERS, BARNITZ, and LIONS, whose “white flakes challenge pity,” and who have wasted their youth in the service of their country, are struck with your iron rod of power, in what could I *personally* hope for an exemption? Do you tell me that *Barnitz* and *Lions* have been reappointed? but you will not say they were not marked as devoted victims, and were not accordingly complimented with your civil circulars, in which, with a ludicrous and canting hypocrisy, you affect to be sorry at the arrangements, *made by yourself*, which render their removal and destruction necessary. You did not pursue the blow, it is true: but why? Did conscience recall the deed, and a sense of duty restrain you? No—or you could never have intended their ruin. But the people of their respective counties became outrageous at your unexampled barbarity, crushing the crippled soldier and the aged patriot; your popularity was threatened, and your coward heart shrunk from the foul mischief your soul delighted in: insufferably insolent and overbearing in the ebullitions of your temper, you sink mean, dejected, and degraded at the prospect of just retribution. Such was your character as chief justice on the bench, and it adheres to the governor. As to the exercise of your power on me, there is nothing remarkable in it, as it relates merely to myself; and is worthy of remark only as it exposes the rottenness of your faith. There are many grounds on which I might with certainty have looked for this proceeding from you. The rage of an old family quarrel (in which I had no part) may have in a measure subsided; but the embers have been burn-
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ing on your heart, and wanted but opportunity to blow them into a destroying flame. Any man acquainted with your temper and dispositions will not hesitate to believe, that you can scarcely receive a more welcome gratification than to inflict an injury on the son of FRANCIS HOPKINSON. Whether this was the prevailing impulse in your conduct, or whether some mercenary dependant claims the promised price of his prostituted services (for you will recollect you speak of your "*arrangements*," on the very day after you came into office), I will not more minutely inquire: as the motives are equally unworthy, your claim to either or both of them will not be doubted. But another reason remains—*I opposed you at the late election*: yes, thank God! and in a most open, decisive, and undisguised manner. My efforts, such as they were, were exerted against you to their extent, and in favour of a man, infinitely above you in the qualifications of his heart and understanding, and in the respectability of his character and conduct: and I had a full and unimpeachable right to do so; and while I did it with truth and propriety you had no right to complain. As to the manner of my opposition, I defy the industry of your Excellency, which has been so fortunate in collecting affidavits and certificates, true and untrue, from all quarters of the state, of the deeds, words, and thoughts of your enemies! I defy all those wretched minions, who, crawling at your feet while they despise you in their souls, bloat your pride with disgusting flattery, until your poor, weak brain reels, inflame your passions with paltry anecdotes, and corrupt your heart with falsehood and hypocrisy—to produce a single paragraph of my writing, a single word of my utterance, that is not, to the utmost, true in its *matter*, and justifiable in its *manner*. I do not mean to stand accountable for every thing that your *affidavit-men* may lay to my charge: God forbid I should be tried by their veracity! but what I have written, said, or done, I will acknowledge and defend. My opposition was honest, conscientious, and constitutional; and I would not recall the smallest portion for all you can give, or all you can take away.

I have been informed, that once, in the fury of a savage temper, or in the heat of inebriety (for the most regular men are sometimes thrown off their balance), you boastingly declared of an officer you were about to displace, for the

the unpardonable sin of voting against, "*that you would teach his wife and children how to starve!*" Such, probably, are your charitable intentions towards me: but in these I trust you will be disappointed. Although the offices I have holden have necessarily abstracted me in a great degree from the regular pursuits of my profession, which I shall exert myself to regain, yet I cannot doubt, that perseverance and industry will make the loss you have inflicted but temporary, and disappoint the murderous malignity that dictated your conduct. When such dull animals as *Thomas McKean*, without the smallest pretension to genius, manners, or general information, become governors, nobody should despair of preferment.

While you are exercising with merciless rage the odious power of a tyrant, while you are gratifying passions the most diabolical, and resentments the most mean, you can scarcely be so lost in the sublime contemplation of your own importance, as to hope that the victims you prostrate will retort no reproaches to your teeth, or bury in silence the injuries you inflict. Do you suppose that every blow you strike breaks the spirit of the man, extinguishing even the desire of retaliation? Or do you feel yourself so exalted on your tottering stool of authority, as to despise the just reward of your deeds? Your elevation commands neither respect nor fear from me, and the use you are making of it is sinking you even with your friends. I have never approached you with humility, and I do not now address you to complain. That immovable hatred and contempt, with which a free mind scorns a tyrant, in all his shapes and in all his acts, are the only feelings that inspire me in your presence. In all this display of the strength of office, I know you are a poor, self-convicted, wretched being. You lie down covered with curses, and the hours of a single day do not pass round without whipping you with the stings of scorpions, making you feel what sort of *thing* you are. Thus the very indulgence of your wishes becomes the bane of your happiness.

One consideration only has made me hesitate in thus exposing your shameful insincerity to the world, and giving expression to my feelings. I mean the good understanding and friendly intercourse that, putting political differences aside, has subsisted between the branches of our respective families,

families, which promised to bury the feuds of former days, and restore that harmony which should ever be found among the descendants of common ancestors. But I address you on a personal question between you and me, in which your children are in no shape implicated; and I trust they can scarcely be so unreasonable as to expect I am to be wounded without feeling, or to feel without resenting.

You may perhaps discover harshness of language in this letter, but to have accommodated myself to the favourite style of your Excellency, I should have indulged much more deeply in invective and abuse. A man who ventures to brand nearly one half, and surely the most respectable part, of the people of Pennsylvania, with such names as traitors, tories, refugees*, &c. thus charging them with positive and high crimes, has little reason to look for much studied politeness of expression from those he has so grossly and indecently insulted. Your claims on this score from me will appear still more unfounded, when you reflect on the evening in which, in the presence of one of my friends, you amused yourself with calling me scoundrel, puppy, rascal, with similar epithets of genteel disapprobation.

I understand J. Beckly is not intended as the permanent proprietor of my offices, but that he is to hold them for a year, when they will be delivered over to a person who will then be qualified to receive. This a sort of juggling, by which your Excellency may reward a great many friends with a few offices. How much the chance of this *contingent remainder-man* is worth, time will decide; but if *Æsop's* frog, or any other poor creature, ever bursted with pride, your Excellency will certainly make an explosion before the year runs out.—For the present I leave you, but with this assurance, that you and I do not part here.

JOS. HOPKINSON.

* If M^r. K. did call the “*most respectable*” part of the people *Tories*, he was above half right. I differ, too, with Mr. Hopkinson on another point. I cannot think that calling people *Tories* and *Refugees* is to accuse them of “positive and high crimes.”

POSTSCRIPT BY PETER PORCUPINE.

NOW, reader, remember, that this is not the invective of a *royalist* against a republican chief: it is the language of one republican speaking of another. It is, in most of its traits, a fine picture of one of those petty despots, who have risen out of the ruins of the British government in this country. I wish every subject of the King to contemplate it well, and to ask himself seriously, whether he would like to change rulers with poor Hopkinson and his *free* fellow-citizens? Oh! that Britons were but wise! Then would they daily return thanks to Heaven for the blessings they enjoy; then would they compare the character and conduct of their mild, benevolent, just, and magnanimous Sovereign, with those of the selfish, malignant, vindictive, ferocious tyrant, who now grinds the faces of the Pennsylvanians. And yet (oh the wonders of republican vanity!) these latter wretches have the impudence to talk about their *liberty*, and, at the instigation of their rapacious oppressors, they do annually celebrate, what they stupidly term, their “*emancipation from the British yoke* *!!!”

By arts like these it is, that the world has been, and is still, deceived. The vain boastings, the insolent pretensions, of republican America, have been too long suffered to pass with impunity. *Why* they have, would take more time to explain than I can spare at present; but, the fatal consequences of this iniquity are, to me at least, very evident. The

* Let not the reader imagine that this article is intended to be published in *America*. These liberty boys would roast me before a slow fire were I to promulgate amongst them what I have written in this paragraph.

seeds of the late horrid rebellion in Ireland were certainly ingrafted from America; and, indeed, if those whose duty it is to *instruct*, as well as to govern, the subjects of the British Empire, will suffer them to be deluded; if they will *tacitly* acknowledge, that the most perfect system of government, the highest degree of liberty and happiness, *have resulted from a rebellion*, and a rebellion, too, *against King George the Third*; if they will supinely permit this captivating falsehood to engross the minds of the multitude, what is the natural, what the *inevitable* consequence?

MR. GRATTAN, in that seditious (not to say *treasonable*) Address, which has been rendered notorious by the admirable Answer of Dr. Duigenan, cites the *example of America* as an encouragement to an Irish revolt, and takes occasion to terrify the loyal subjects of Ireland by a most false and malicious representation of the fate of the American loyalists. So far as Dr. Duigenan was possessed of facts, he has amply exposed the falsehood of the addresser: he has nobly defended the cause, the conduct, and the character of the loyal Americans, who are, and who, I trust, ever will be, regarded with peculiar affection by their King and their faithful fellow-subjects. But, had the Doctor lived in America since the consummation of the "*Glorious Revolution*," he would, doubtless, have given a counterpart to the picture. This counterpart I have attempted to draw, and will exhibit it on some future occasion; suffice it, for the present, to say, that it holds out little temptation to treason and rebellion.

THE END.

